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Wednesday
January 28, 1987

Briefings on How To Use the Federal Register—
For information on briefings in Portland, OR, Los Angeles, CA, San Diego, CA, and Houston, TX, see announcement on the inside cover of this issue.

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How To Cite This Publication: Use the volume number and the page number. Example: 52 FR 12345.

THE FEDERAL REGISTER
WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 2 1/2 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

PORTLAND, OR

WHEN: February 17; at 9 am.

WHERE: Bonneville Power Administration
Auditorium,
1002 N.E. Holladay Street,
Portland, OR.

RESERVATIONS: Call the Portland Federal Information Center on the following local numbers:

Portland	**503–221–2222**
Seattle	**206–442–0570**
Tacoma	**206–383–5230**

LOS ANGELES, CA

WHEN: February 18; at 1:30 pm.

WHERE: Room 8544, Federal Building,
300 N. Los Angeles Street,
Los Angeles, CA.

RESERVATIONS: Call the Los Angeles Federal Information Center, 213–894–3800

SAN DIEGO, CA

WHEN: February 20; at 9 am.

WHERE: Room 2S31, Federal Building,
880 Front Street, San Diego, CA.

RESERVATIONS: Call the San Diego Federal Information Center, 619–293–6030

HOUSTON, TX

WHEN: March 10; at 9 am.

WHERE: Room 4415, Federal Building,
515 Rusk Avenue, Houston, TX.

RESERVATIONS: Call the Houston Federal Information Center on the following local numbers:

Houston	**713–229–2552**
Austin	**512–472–5495**
San Antonio	**512–224–4471**
New Orleans	**504–589–6696**

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Reader Aids

Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

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A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 944

Utah; Approval of Amendment to the Utah Permanent Program Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Final rule.

SUMMARY: OSMRE is announcing the approval of an amendment to the Utah Permanent Regulatory Program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). On September 3, 1986, Utah submitted a proposed program amendment for OSMRE's approval pertaining to the definitions of "coal processing" and "coal processing plant". The public was invited to comment on these provisions for 30 days (50 FR 35666, October 7, 1986).

After providing opportunity for public comment and conducting a thorough review of the program amendment, the Director has determined that the amendment meets the requirements of SMCRA and the Federal regulations and is approving them.

This final rule is being made effective immediately in order to expedite the State program amendment process and to encourage the State to conform its program to the Federal standards without undue delay; consistency of the State and Federal standards is required by SMCRA.

EFFECTIVE DATE: January 28, 1987.

FOR FURTHER INFORMATION CONTACT: Mr. Arthur W. Abbs, Chief, Division of State Program Assistance, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW., Washington, DC 20240; Telephone: (202) 343-5351.

SUPPLEMENTARY INFORMATION:

I. Background on Program Approval

On January 21, 1981, the Secretary of the Interior conditionally approved the Utah program under SMCRA for the regulation of the surface coal mining operations in the State (46 FR 5899-5915).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Utah program can be found in the January 21, 1981 **Federal Register** (46 FR 5899-5915). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 944.11, 30 CFR 944.12, 30 CFR 944.15 and 30 CFR 944.16.

II. Background on Proposed Amendments

On September 3, 1986, the Utah Division of Oil, Gas and Mining (DOGM) submitted a proposed program amendment for OSMRE's approval. The amendment includes changes pertaining to the definitions of "coal processing" and "coal processing plant".

On Oct. 7, 1986, OSMRE sought public comment on whether the proposed modifications to the Utah permanent program listed above satisfied the criteria for approval of State program amendments set forth at 30 CFR 732.15 and 732.17 (50 FR 35666). No comments were received.

III. Director's Findings

The Director finds, in accordance with SMCRA and 30 CFR 732.17 and 732.15, that the program amendment submitted by Utah on September 3, 1986, meets the requirements of SMCRA and 30 CFR Chapter VII as discussed below.

1. Definitions

The State replaced its previous definition for "coal processing plant" and added a definition for "coal processing". As a result of a ruling of the District Court for the District of Columbia on July 6, 1984, the requirement under SMCRA to obtain a mining permit was extended to include processing facilities which in any way leach, chemically process, or physically process coal, even if they do not separate coal from its impurities. The Utah rules, which were adopted by the Utah Board of Oil, Gas and Mining on July 31, 1986, are intended to bring these facilities under jurisdiction of the Utah program in accordance with the court's decision.

The definitions adopted by the State are virtually identical to the Federal definitions under 30 CFR 701.5 for "coal preparation" and"coal preparation plant". The State has merely substituted the term "processing" for the term "preparation". Accordingly, the Director finds the State provisions no less effective than the Federal regulations and he is, therefore, approving them. The Director is amending Part 944 of 30 CFR Chapter VII to implement this decision.

IV. Additional Determinations

1. Compliance With the National Environmental Policy Act

The Secretary has determined that pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared for this rulemaking.

2. Compliance With the Regulatory Flexibility Act

The Secretary hereby determines that this rule will not have a significant economic impact on small entities within the meaning of the Regulatory Flexibility Act, U.S.C. 601 *et seq.*). This rule will not impose any new requirements; rather, it will ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. Compliance With Executive Order No. 12291

On August 28, 1981, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for all actions taken to approve, or conditionally approve, State regulatory programs, actions, or amendments. Therefore, a Regulatory Impact Analysis and regulatory review by OMB is not needed for this program amendment.

4. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 944

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Accordingly, 30 CFR Part 944 is amended as set forth herein.

Dated: January 20, 1987.

James W. Workman,

Deputy Director, Operations and Technical Services.

PART 944—UTAH

Part 944 of Title 30 is amended as follows:

1. The authority citation for Part 944 continues to read as follows:

Authority: Pub. L. 95–87, Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*).

2. Section 944.15 is amended by adding a new paragraph (k) to read as follows:

§ 944.15 Approval of amendments to State regulatory program.

* * * * *

(k) The following amendment to the Utah State program which was submitted to OSMRE by Utah on September 3, 1986, is approved effective January 28, 1987.

Revision of the definition for "coal processing plant" and adoption of a definition for "coal processing" under SMC/UMC 700.5.

[FR Doc. 87–1737 Filed 1–27–87; 8:45 am]

BILLING CODE 4310-05-M

Proposed Rules

Federal Register

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Wednesday, January 28, 1987

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 72, 178, and 179

[Notice No. 618; Re: Notice No. 609]

Commerce in Firearms and Ammunition

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Extension of comment period for notice of proposed rulemaking.

SUMMARY: Public Laws 99–308 and 99–360 made major revisions in the Gun Control Act of 1968 and the National Firearms Act. Temporary rule, T.D. ATF–241, was published in the **Federal Register** on October 29, 1986, to implement the new law revisions. In the same **Federal Register** ATF published Notice No. 609 (51 FR 39635) to allow a 90 day review and comment period on the Temporary rule. ATF has received a number of requests for additional time to review and comment on the regulations, and is, therefore, extending the comment period an additional 30 days to allow more time for public review and comment.

DATE: Written comments must be received by February 26, 1987.

ADDRESS: Send written comments to: Chief, Firearms and Explosives Operations Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 189, Washington, DC 20044–0189.

Any written comments received will be available for public inspection during normal business hours at: ATF Reading Room, Room 4406, Arial Rios Federal Building, 1200 Pennsylvania Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Daniel E. Crowley, ATF Specialist, Firearms and Explosives Operations Branch, Bureau of Alcohol, Tobacco and Firearms, (202) 566–7591.

Approved: January 21, 1987.

Stephen E. Higgins,

Director.

[FR Doc. 87–1738 Filed 1–27–87; 8:45 am]

BILLING CODE 4810–31–M

Notices

Federal Register
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Wednesday, January 28, 1987

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF ENERGY
Energy Information Administration

Agency Collections Under Review by the Office of Management and Budget

AGENCY: Energy Information Administration, DOE.

ACTION: Notice of submission of request for clearance to the Office of Management and Budget.

SUMMARY: The Department of Energy (DOE) has submitted the energy information collections listed at the end of this notice to the Office of Management and Budget (OMB) for approval under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The listing does not contain information collection requirements contained in regulations which are to be submitted under 3504(h) of the Paperwork Reduction Act, nor management and procurement assistance requirements collected by DOE.

Each entry contains the following information: (1) The sponsor of the collection (DOE component or Federal Energy Regulatory Commission (FERC)); (2) Collection number(s); (3) Current OMB docket number (if applicable); (4) Collection title; (5) Type of request, e.g., new, revision, or extension; (6) Frequency of collection; (7) Response obligation, i.e., mandatory, voluntary, or required to obtain or retain benefit; (8) Affected public; (9) An estimate of the number of respondents per report period; (10) An estimate of the number of responses annually; (11) Annual respondent burden, i.e., an estimate of the total number of hours needed to respond to the collection; and (12) A brief abstract describing the proposed collection and the respondents.

DATES: Comments must be filed on or before February 27, 1987. Last notice published Thursday, December 11, 1986.

ADDRESS: Address comments to the Department of Energy Desk Officer, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503. (Comments may also be addressed to, and copies of the submissions obtained from, Mr. Gross at the address below.)

FOR FURTHER INFORMATION CONTACT: John Gross, Director, Data Collection Services Division (EI-73), Energy Information Administration, M.S. 1H-023, Forrestal Building, 1000 Independence Ave., SW., Washington, DC 20585, (202) 586-2308.

SUPPLEMENTARY INFORMATION: If you anticipate commenting on a collection, but find that time to prepare these comments will prevent you from submitting comments promptly, you should advise the OMB DOE desk officer of your intent as early as possible.

The energy information collections submitted to OMB for review were:

1. Energy Information Administration/Office of Oil and Gas
2. EIA-782A/B/C; EIA-821, EIA-863, EIA-14, EIA-856, EIA-182
3. Previously cleared under OMB Numbers 1905-0141, 1905-0139, 1905-0140, 1905-0018, 1905-0168, 1905-0125, 1905-0156, 1905-0143
4. Petroleum Marketing Program Surveys
5. Revision
6. Monthly/Annually/Triennially
7. Mandatory
8. Business or other for profit
9. 20,947 respondents
10. 60,514 responses
11. 167,367 hours
12. The Petroleum Marketing Program surveys collect information on costs, sales, prices and distribution for crude oil and petroleum products. Data are published in the petroleum publications and in multifuel reports. Respondents are refiners, first purchasers, gas plant operators, resellers/retailers, motor gasoline wholesalers, suppliers, distributors, and importers

Statutory authority: Sec. 13(b), 5(b), 5(a), and 52, Pub. L. 93-275, Federal Energy Administration Act of 1974, (15 U.S.C. 772(b), 764(b), 764(a), and 790a.

Issued in Washington, DC, January 22, 1987.

Yvonne M. Bishop,

Director, Statistical Standards, Energy Information Administration.

[FR Doc. 87-1758 Filed 1-27-87; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. TA87-2-21-000, 001]

Columbia Gas Transmission Corp.; Proposed Changes in FERC Gas Tariff

January 22, 1987.

Take notice that Columbia Gas Transmission Corporation (Columbia) on January 14, 1987, tendered for filing the following proposed changes to its FERC Gas Tariff, Original Volume No. 1, to be effective on January 1, 1987:

One Hundred and Thirteenth Revised Sheet No. 16, Forty-Sixth Revised Sheet No. 64

Columbia states that these tariff sheets are being filed pursuant to § 20.3(b) of Columbia's FERC Gas Tariff, Original Volume No. 1, to reflect the impact of a change in Columbia's contractual entitlements from Texas Eastern Transmission Corporation (Texas Eastern), one of its pipeline suppliers. On December 3, 1986 Texas Eastern filed tariff sheets in Docket No. CP84-429-025 which provide for an 80,000 Dth per day reduction in firm sales service to Columbia under Rate Schedule DCQ in Zone C. Such filing was accepted by the Commission on December 29, 1986, to become effective December 4, 1986. As a result of the reflection of the foregoing contract reduction, Columbia states that the rates contained on One hundred and thirteenth Revised Sheet No. 16 and Forty-sixth Revised Sheet No. 64 reflect a $.266 per Dth reduction in the Demand Rate Applicable to Non-Shielded Customers and a $.219 per Dth reduction in the Demand Rate Applicable to Shielded Customers. Columbia has requested a waiver of Section 20.3(b) of its tariff to reflect the impact of the reduced Texas Eastern demand charges for the December 4-31, 1986 period in Columbia's Account No. 191.

Copies of the filing were served upon the Company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, Union Center Plaza Building, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and

Procedure. All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of Columbia's filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1740 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. TA87-1-2-003 and TF87-3-2-001]

East Tennessee Natural Gas Co.; Compliance PGA Filing

January 22, 1987.

Take notice that on January 16, 1987, East Tennessee Natural Gas Company (East Tennessee) tendered for filing Substitute Twenty-third Revised Sheet No. 4 and Substitute Twenty-fourth Revised Sheet No. 4 to Original Volume No. 1 of its FERC Gas Tariff to be effective January 1, 1987.

East Tennessee states that the purpose of the revised tariff sheets is to track changes in the rates of East Tennessee's supplier, Tennessee Gas Pipeline Company, a Division of Tenneco Inc., to comply with the Commission's December 31, 1986 Letter Order in this proceeding.

East Tennessee requests that the Commission grant any waivers it deems necessary for acceptance of this filing. East Tennessee states that copies of the filing have been mailed to all of its customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1741 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA87-2-5-002]

Midwestern Gas Transmission Co.; PGA Filing to Track Changes in Supplier Rates and Storage Activity

January 22, 1987.

Take notice that on January 20, 1987, Midwestern Gas Transmission Company (Midwestern) tendered for filing Substitute Twenty-First Revised Sheet No. 5, to be effective January 1, 1987, and Twenty-Second Revised Sheet No. 5, to be effective January 20, 1987, to Original Volume No. 1 of its FERC Gas Tariff.

Midwestern states that the purpose of the revised tariff sheets is to: (1) Track changes in the rates of Midwestern's supplier, Tennessee Gas Pipeline Company, a Division of Tenneco Inc., to comply with the Commission's December 29, 1986 Letter Order in this proceeding, and (2) to adjust Midwestern's gas rates prospectively to reflect the effects of unanticipated storage withdrawals.

Midwestern states that copies of the filing have been mailed to all of its customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1742 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA87-2-26-000, 001]

Natural Gas Pipeline Company of America; Changes in Rates

January 22, 1987.

Take notice that on January 20, 1987, Natural Gas Pipeline Company of America tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1 (Tariff), the below listed tariff sheets to be effective March 1, 1987.

Sixty-third Revised Sheet No. 5
Thirtieth Revised Sheet No. 5A
Fifteenth Revised Sheet No. 5C
Fifteenth Revised Sheet No. 5D
Eighth Revised Sheet No. 121

Natural states the purpose of the instant filing is to implement Natural's semi-annual PGA unit rate adjustment (including revised surcharge) calculated pursuant to sections 18 and 29 of the General Terms and Conditions of Natural's tariff (PGA and Incremental Pricing). Natural is also requesting a permanent change in the terms of its Purchased Gas Cost Adjustment tariff provision to provide for an annual surcharge unit adjustment.

The overall effect of the filed for adjustment is to increase Natural's DMQ-1 commodity rate by 39.99¢ and to decrease the DMQ-1 entitlement rate by .03¢. No change is required in the DMQ-1 demand rate. Appropriate adjustments have been made with respect to Natural's other sales rate schedules. The effect of these rate changes on an annual basis is a revenue increase of $138.8 million. This revenue increase is comprised of a $102.0 million increase in gas cost recovery and a $36.8 million increase due to an increase in the deferred account surcharge recovery rate.

A copy of this filing is being mailed to Natural's jurisdictional customers and to interested state regulatory agencies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with §§ 385.214 and 385.211. All such motions or protests must be filed on or before January 30, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1743 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA87-1-59-002]

Northern Natural Gas Co., Division of Enron Corp.; Compliance Filing

January 22, 1987.

Take notice that on January 15, 1987, Northern Natural Gas Company, Division of Enron Corp. (Northern) tendered for filing the following tariff sheets to its FERC Gas Tariff to comply with Ordering Paragraphs (A) and (B) of the Commission's Order issued December 31, 1986 in Docket No. TA87-1-59-000, 001:

Third Revised Volume No. 1

Substitute Forty-Fourth Revised Sheet No. 4a
Substitute Thirty-Ninth Revised Sheet No. 4b
Substitute Eighth Revised Sheet No. 4b.1
Substitute First Revised Sheet No. 4g.2
Fifth Revised Sheet No. 65
Fifth Revised Sheet No. 67
Fourth Revised Sheet No. 68
Substitute First Revised Sheet No. 74c
Substitute Second Revised Sheet No. 74d
Substitute Second Revised Sheet No. 74e
Substitute Second Revised Sheet No. 74f

Original Volume No. 2

Substitute Forty-Seventh Revised Sheet No. 1c
Third Revised Sheet No. 1d
Third Revised Sheet No. 1e
Fourth Revised Sheet No. 1f
Substitute Third Revised Sheet No. 1o
Substitute Second Revised Sheet No. 1p
Substitute Second Revised Sheet No. 1q
Substitute Second Revised Sheet No. 1r

According to § 381.103(b)(2)(iii) of the Commission's regulations (18 CFR 381.103(b)(2)(iii)), the date of filing is the date on which the Commission receives the appropriate filing fee, which in the instant case was not until January 16, 1986. The effective date for the sheets is January 1, 1987.

Copies of this filing have been sent to each of Northern's gas utility customers, interested state commissions and other intervenors in this docket. Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211). All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1744 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP87-26-002]

Tennessee Gas Pipeline Co., a Division of Tenneco Inc.; Tariff Filing

January 22, 1987.

Take notice that on January 16, 1987, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) tendered for filing Substitute Original Sheet Nos. 25 through 29 and Second Substitute Original Sheet No. 109 to Second Revised Volume No. 1 of its FERC Gas Tariff to be effective December 10, 1986. Tennessee also tendered for filing in this alternative Second Substitute Original Sheet No. 57 and Substitute Original Sheet No. 58 to Second Revised Volume No. 1.

Tennessee states that the purpose of the revised tariff sheets is to reflect interruptible transportation rates for Rate Schedule GS customers which comply with Order No. 436. If the Commission rejects Sheet Nos. 25 through 29 and 109, Tennessee states that it has filed Sheet Nos. 57 and 58 in the alternative to re-establish the historical character of service under Rate Schedules GS.

Tennessee states that copies of the filing have been mailed to all of its customers and affected state regulatory commissions. Tennessee requests that the Commission grant any waivers it deems necessary for acceptance of this filing.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedures. All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1745 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA87-1-9-002]

Tennessee Gas Pipeline Co., a Division of Tenneco Inc.; Compliance PGA Fiiling

January 22, 1987.

Take notice that on January 16, 1987, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) tendered for filing First Revised Sheet Nos. 20, 21, 22, 23 and 24 to Second Revised Volume No. 1 of its FERC Gas Tariff to be effective January 1, 1987.

Tennessee states that the purpose of the revised tariff sheets is to revise Tennessee's rates to comply with Ordering Paragraph (C) of the Commission's December 31, 1986 Order in this proceeding requiring a revision in the method of recovering Canadian purchased gas costs and to make certain conforming revisions to Second Revised Volume No. 1 which was filed after Tennessee's November 26 PGA filing and became effective December 10, 1986.

Tennessee states that copies of the filing have been mailed to all of its customers and affected state regulatory commissions. Tennessee requests that the Commission grant any waivers it deems necessary for acceptance of this filing.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedures. All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1746 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. TA86-3-30-003 and TF86-1-30-001]

Trunkline Gas Co.; Proposed Changes in FERC Gas Tariff

January 22, 1987.

Take notice that on January 14, 1987 Trunkline Gas Company (Trunkline) tendered for filing the following revised sheet to its FERC Gas Tariff, Original Volume No. 1:

First Substitute Original Sheet No. 21-J.1

The proposed effective date of this revised tariff sheet is September 1, 1986.

Trunkline states that this revised tariff sheet is being submitted by Trunkline at this time in compliance with the Commission's December 30, 1986 Letter Order to reflect revised tariff language for Trunkline's flexible PGA authority. The revised tariff provisions make clear that such interim adjustments will not be triggered by a change in system sales.

Trunkline states the filing of this revised tariff sheet by Trunkline in compliance with the Commission's December 30, 1986 Letter Order in this proceeding is without prejudice to Trunkline's rights to seek rehearing or review of the conditions contained in the December 30, 1986 order.

Copies of this letter and enclosures are being served on all jurisdictional customers and applicable state regulatory agencies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capital Street NE., Washington, DC 20426, in accordance with sections 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before January 29, 1987. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1747 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

[Project Nos. 9669-002 et al.]

Cooper Creek Associates et al; Surrender of Preliminary Permits

January 21, 1987.

Take notice that the following preliminary permits have been surrendered effective as described in Standard Paragraph I at the end of this notice.

1. Cooper Creek Associates

[Project No. 9669-002]

Take notice that Copper Creek Associates, permittee for the Copper Creek Project, has requested that its preliminary permit be terminated. The permit was issued on June 13, 1986, and would have expired May 31, 1989. The project would have been located on Copper Creek in Gifford Pinchot National Forest, Skamania County, Washington. The permittee cites that the proposed project is not feasible as the basis for the surrender request.

The permittee filed the request on December 29, 1986.

2. Friant Power Authority

[Project No. 9619-001]

Take notice that Friant Power Authority, permittee for the proposed Little Dry Creek Siphon Project No. 9619, has requested that its preliminary permit be terminated. The preliminary permit was issued on May 5, 1986, and would have expired on April 30, 1989. The project would have been located on the Friant Kern Canal in Fresno County, California.

The permittee filed the request on December 30, 1986.

3. Lewis County Public Utility District No. 1

[Project No. 5948-004]

Take notice that Lewis County Public Utility District No. 1, permittee for the Smith Creek Project No. 5948, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 5948 was issued on May 8, 1985, and would have expired on April 30, 1987. The project would have been located on Smith Creek in Lewis County, Washington.

The permittee filed the request on December 18, 1986.

4. Polson Associates

[Project No. 9316-002]

Take notice that Polson Associates, permittee for the Polson Associates Project No. 9316, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 9316 was issued on December 11, 1985, and would have expired on November 30, 1988. The project would have been located on Lion Creek in Lake County, Montana.

The permittee filed the request on December 29, 1986.

5. Squaw Creek Associates

[Project No. 9855-002]

Take notice that Squaw Creek Associates, permittee for the Squaw Creek Project, has requested that its preliminary permit be terminated. The permit was issued on June 10, 1986, and would have expired May 31, 1989. The project would have been located on Squaw Creek in Deschutes National Forest, Deschutes County, Oregon. The permittee cites that the proposed project is not feasible as the basis for the surrender request.

The permittee filed the request on December 29, 1986.

Standard Paragraph

I. The preliminary permit shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007 in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-1749 Filed 1-27-87; 8:45 am]

BILLING CODE 6717-01-M

FEDERAL MEDIATION AND CONCILIATION SERVICE

Performance Review Board; Membership

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Notice.

Notice is hereby given in accordance with 5 U.S.C. 4314(c)(4) of the appointment of the following persons to serve as members of this agency's Performance Review Board.

John Higgins, Deputy General Counsel, National Labor Relations Board, Chairman

Charles R. Barnes, Executive Director, National Mediation Board

Edith Baum, Associate General Counsel, Federal Labor Relations Authority

Dated: January 14, 1987.

Kay McMurray,

Director.

[FR Doc. 87-1754 Filed 1-27-87; 8:45 am]

BILLING CODE 6732-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

Meetings

1. A meeting of invited technical consultants will be convened by the Division of Quarantine (DQ), Center for Prevention Services (CPS), Centers for Disease Control (CDC) on January 30:

Time and Date: 9 am, Friday, January 30, 1987

Place: Centers for Disease Control, Center for Prevention Services, Conference Room, 1600 Tully Circle, N.E., Atlanta, Georgia

Status: Open to the public for observation, limited only by space available.

Matters to be Considered: Technical review, by consultants, of draft operations manual for vessel sanitation inspection program.

2. A meeting for public comment and participation will be convened by the Division of Quarantine, CPS, CDC on February 18:

Time and Date: 9 am-4 pm, Wednesday, February 18, 1987

Place: Centers for Disease Control, Auditorium B, 1600 Clifton Road, N.E., Atlanta, Georgia

Status: Open to the public for participation, comment, and observation, limited only by the space available.

Matters to be Considered: All aspects of CDC's vessel sanitation inspection program, including: Components of draft operations manual; inspection items; scoring; availability of inspection results to the public; option for cruise lines to engage private contractors to perform periodic, unannounced inspections; CDC's oversight function; CDC's consultations on ship construction; CDC's role in investigating disease outbreaks.

Copies of CDC's draft operations manual describing the vessel sanitation program in detail will be available on request shortly after January 30.

Contact Person for More Information—(both meetings): Laurence S. Farer, M.D., Director, Division of Quarantine, Center for Prevention Services, Centers for Disease Control, Atlanta, Georgia 30333, Telephones: FTS: 236-2574, Commercial: (404) 329-2574.

Dated: January 23, 1987.

Elvin Hilyer,

Associate Director for Policy Coordination, Centers for Disease Control.

[FR Doc. 87-1785 Filed 1-27-87; 9:00 am]

BILLING CODE 4160-18-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Advisory Committee on Water Data for Public Use; Renewal

This notice is published in accordance with section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463). Following consultation with the General Services Administration, notice is hereby given that the Secretary of the Interior is renewing the Advisory Committee on Water Data for Public Use. The purpose of the committee shall be to represent the interests of the non-Federal community of water-data users and professionals in advising the Department of the Interior, through the Geological Survey, on: (a) Plans, policies, and procedures related to water-data acquisition programs, (b) the effectiveness of those programs in meeting the national water-data needs, and on (c) activities pursuant to the implementation of Office of Management and Budget Circular A-67.

Further information regarding the committee may be obtained from the Director, U.S. Geological Survey, Department of the Interior, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

The certification of renewal is published below.

Certification

I hereby certify that renewal of the Advisory Committee on Water Data for Public Use is in the public interest in connection with the performance of duties imposed on the Department of the Interior by 43 U.S.C. 31 *et seq.*

Dated: January 13, 1987.

Donald Paul Hodel,

Secretary of the Interior.

[FR Doc. 87-1755 Filed 1-27-87; 8:45 am]

BILLING CODE 4310-31-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-6 (Sub-No. 289X)]

Burlington Northern Railroad Co.—Abandonment Exemption—in Crawford Country, KS

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from the prior approval requirements of 49 U.S.C. 10903, *et seq.*, the abandonment by the Burlington Northern Railroad Company of a 6.60-mile line of railroad between Arcadia (M.P. 115.40) and Mertz (M.P. 122.00) in Crawford County, KS, subject to standard employee protective conditions.

DATES: This exemption is effective on February 26, 1987. Petitions to stay must be filed by February 11, 1987, and petitions for reconsideration must be filed by February 23, 1987.

ADDRESS: Send pleadings referring to Docket No. AB-6 (Sub-No. 289X) to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washngton, DC 20423

(2) Petitioner's representative: Peter M. Lee, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call 289-4357 (DC Metropolitan area) or toll free (800) 424-5403.

Decided: January 20, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Simmons.

Noreta R. McGee,

Secretary.

[FR Doc. 87-1782 Filed 1-27-87; 8:58 am]

BILLING CODE 7035-01-M

NUCLEAR REGULATORY COMMISSION

Bi-Weekly Notice; Applications and Amendments to Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to Public Law (P.L.) 97-415, the Nuclear Regulatory Commission (the Commission) is publishing this regular bi-weekly notice. P.L. 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This bi-weekly notice includes all amendments issued, or proposed to be issued, since the date of publication of the last bi-weekly notice which was published on December 30, 1986 (51 FR 47072) through January 16, 1987.

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 am to 5:00 pm. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street NW., Washington, DC. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By February 27, 1987, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to (*Project Director*): petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of General Counsel, Bethesda, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the local public document room for the particular facility involved.

Arizona Public Service Company et al., Docket No. STN 50-529, Palo Verde Nuclear Generating Station (PVNGS), Unit No. 2, Maricopa County, Arizona

Date of Amendment Request: December 26, 1986.

Description of Amendment Request: The proposed amendment would modify the Technical Specifications (Appendix A to Facility Operating License No. NPF-51 for PVNGS Unit 2), to revise Surveillance Requirement 4.7.9.b. This Surveillance Requirement relates to the visual inspection program for various snubbers, whose function is to ensure the structural integrity of the reactor coolant system and all other safety related systems during and following a seismic event or another event which would initiate dynamic loads. The requested amendment would postpone the initial inservice inspection of 25 snubbers associated with the containment spray system until the first refueling outage (approximately a one year delay).

Basis for Proposed No Significant Hazards Consideration Determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no signficant hazards considerations if operation of the facility in accordane with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

A discussion of these standards as they relate to the amendment request follows:

Standard 1—Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The proposed amendment only requests a delay of approximately one year in performing the initial inservice visual inspection for a limited number of snubbers. Since completion of the preservice inspection program, these snubbers have not been subjected to any abnormal conditions. The amendment does not, therefore, significantly increase the probability or consequences of an accident.

Standard 2—Create the Possibility of a New or Different Kind of Accident From Any Accident Previously Evaluated

The proposed amendment does not vary or affect any plant operating condition or parameter. For these reasons, the NRC staff has determined that the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Standard 3—Involve a Significant Reduction in a Margin of Safety

The requested amendment does not change any of the design bases for the plant. For this reason, the NRC staff has determined that the change does not involve a significant reduction in any margins of safety.

Based on the above considerations, the Commission proposes to determine that the proposed change does not involve a significant hazards consideration.

Local Public Document Room Location: Phoenix Public Library, Business, Science and Technology Department, 12 East McDowell Road, Phoenix, Arizona 85004.

Attorney for Licensees: Mr. Arthur C. Gehr, Snell & Wilmer, 3100 Valley Center, Phoenix, Arizona 85007.

NRC Project Director: George W. Knighton.

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Units Nos. 1 and 2, Calvert County, Maryland

Date of amendment request: October 1, 1986.

Description of amendment request: The proposed amendments would change the Technical Specifications (TS) as follows:

1. Change the Units 1 & 2 TS Surveillance Requirement 4.4.10.1.2, "Augumented Inservice Inspection Program for Main Steam and Main Feedwater Piping," to update the required ASME Boiler and Pressure Vessel Code, Section XI, for Class 2 components from the 1974 Edition and Addenda through Summer 1975 to the 1983 Edition and Addenda through Summer 1983. In addition, TS 4.4.10.1.2.a would be deleted and TS 4.4.10.1.2.b would be renumbered 4.4.10.1.2.a and would be clarified to reflect a new 10-year inservice inspection interval.

2. Modify the Units 1 & 2 TS 3/4.3.2, "Engineered Safety Feature Actuation System Instrumentation," by extending the response time specified in Table 3.3-5, "Engineered Safety Features Response Times," for the containment purge valves isolation due to a containment radiation-high actuation signal from a maximum of 5 seconds to a maximum of 7 seconds.

3. Modify TS 3/4.1.3, "Movable Control Assemblies," by extending the time by which thermal power must be reduced if a control element assembly (CEA) is misaligned from any other CEA in its group by 15 inches or more. The proposal would change this time from the current requirement of within 1 hour to a variable time period that spans from 1 to 2 hours, depending upon the last known value of the integrated radial peaking factor. The level to which power must be reduced for a 15 inch or more CEA misalignment would be changed from the currently required limit of "70% of the maximum allowable thermal power level for the existing reactor coolant pump configuration," to the following proposed limits:

a. If thermal power level prior to the misalignment was greater than 50% Rated Thermal Power (RTP), thermal power shall be reduced to less than the greater of 50% or 75% of the thermal power level prior to the misalignment.

b. If thermal power level prior to the misalignment was less than or equal to 50% RTP, maintain thermal power no higher than the value prior to the misalignment.

Additionally, the modifier "full length" shall be deleted from the phrase "full length CEAs" throughout TS 3/4.1.3

Basis for proposed no significant hazards consideration determination: Change No. 1 proposes to update TS 4.4.10.1.2 to the requirements of the 1983 Edition of the ASME Boiler and Pressure Vessel Code, Section XI, with Addenda through Summer 1983. Currently, the licensee is required to comply with the 1974 Edition with Addenda through Summer 1975.

The first 10-year ASME Code Section XI inservice inspection (ISI) interval will be over on April 1, 1987 for both Calvert Cliffs Units 1 & 2. Section 50.55a(g)(4)(ii) of 10 CFR requires that inservice examinations during successive 120-month (10 year) ISI intervals comply with the requirements of the lastest edition and addenda of the Code incorporated in 10 CFR 50.55a(b)(2) 12 months prior to the start of the ISI interval. The latest edition and addenda of the Code in Section 50.55a(b)(2) on April 1, 1986 was the 1983 Edition with Addenda through Summer 1983.

On March 6, 1986, the NRC published guidance in the **Federal Register** (51 FR 7751) concerning examples of amendments that are not likely to involve a significant hazards consideration.

One of the examples, (vii), was "a change to make a license conform to changes in regulations, where the license change results in very minor changes to facility operations clearly in keeping with the regulations." This proposal is one such administrative change as this update of TS 4.4.10.1.2 to the requirements of the 1983 Edition of the ASME Code with Addenda through Summer 1983 is required by Commission in 10 CFR 50.55a(g)(4)(ii). This proposed change is consistent with the above example and thus the Commission proposes to determine that this proposed change involves no significant hazards consideration.

Change No. 2 would extend the required engineered safety features (ESF) response time of TS Table 3.3-5 for containment purge valves isolation on a containment radiation-high (CRS) actuating signal from 5 to 7 seconds. Table 3.6-1 of TS 3/4.6.4, "Containment Isolation Valves," currently specifies an isolation time of 7 seconds for containment purge valve operability.

The licensee evaluated the proposed change against the standards in 10 CFR 50.92 and has determined that the amendment would not:

(i) Involve a significant increase in the probability or consequences of an accident previously evaluated . . .

The ESF response time of CRS in Table 3.3-5 for containment purge valves isolation was reduced to 5 seconds in accordance with Commission guidance to minimize the release of activity following a loss of coolant accident (LOCA). Subsequently, TS Limiting Condition for Operation (LCO) 3.6.1.7, "Containment Purge System," was added to require the containment purge valves be maintained closed during operation in modes 1 through 4 (above 200 °F). This change has effectively eliminated any concerns for containment purge valve isolation for all postulated events evaluated for modes 1 through 4. As a consequence, the only event of concern requiring containment purge valves isolation is the fuel handling incident.

The fuel handling incident inside containment was analyzed by the licensee in the submittal dated March 21, 1977. In this analysis, a isolation time of 1 minute was conservatively assumed for the purge valves. The whole body and thyroid doses at the site boundary for this fuel handling incident were determined by the licensee to be approximately one-hundredth of the maximum permissible doses permitted by 10 CFR Part 100.

The fuel handling incident in the auxiliary building is the event of primary concern as the auxiliary building cannot be completely isolated from releasing activity to the environment. All releases are assumed to be through the plant vent via the charcoal absorbers.

The licensee has determined that the release from a fuel handling incident inside the auxiliary building would result in a dose to the thyroid slightly larger than that calculated for a fuel handling incident inside containment. The whole body dose for the auxiliary building incident is much larger than for the incident inside containment. The licensee has calculated this dose to be 3.0 Rem. The continual release of activity through the plant vent would be a much more significant contributor to the site exclusion boundary dose than an additional 2 seconds with the containment purge valves open. As such, only a small change in site exclusion boundary dose would result and these doses would considerably smaller than the limits of 10 CFR Part 100. Therefore, this proposal would not significantly increase the consequences of this accident and of any other previously evaluated accidents.

The proposed isolation time required for the containment purge valves has no effect upon the probability of a fuel handling incident of any other accident previously evaluated.

(ii) Create the possibility of a new or different kind of accident from any accident previously evaluated . . .

This proposal would not change system design, which is to isolate containment, and the only change in system operation would be the extension of containment purge valves isolation response time on a CRS actuation from 5 to 7 seconds. Containment isolation would still occur in the event of a containment radiation-high actuation signal. Therefore, this proposal does not create the possibility or a new or different accident.

(iii) Involve a significant reduction in a margin of safety.

The only margin of safety that could be reduced by this proposal is the margin from the site exclusion boundary dose limits of 10 CFR Part 100 for the fuel handling incident.

The bounding fuel handling incident is the event inside the auxiliary building. Most of the activity release in this event is through the plant vent via the charcoal absorbers. Maintaining the containment purge valves open for an additional 2 seconds would only slightly increase the doses expected. Hence, the margin from the maximum doses provided in 10 CFR Part 100 would not be significantly reduced. This proposal would not affect any other margin of safety.

Based upon the above, the NRC staff agrees with the licensee's evaluation and proposes to determine that the proposed change to Table 3.3-5 of TS 3/4.3.2 involves no significant hazards consideration.

Change No. 3 proposes to modify the Units 1 and 2 TS 3/4.1.3, "Movable Control Assemblies," by extending the time by which thermal power must be reduced and raising the thermal power limit for situations where a CEA is misaligned from any other CEA in its group by 15 inches or more. Additionally, the modifier "full length" is proposed to be deleted from the phrase "full length CEAs" throughout TS 3/4.1.3.

A misaligned CEA will result in a distorted core power distribution and the corresponding increase in peaking factors will reduce the margin to the point of departure from nucleate boiling (DNB). Protection is provided for this event by requiring a DNB ratio large enough to accommodate the initial effects of the worst case CEA drop. The overpower margin used in the DNB ratio needed for a misaligned CEA does not include the effects of xenon redistribution on radial power peaking in the core. Currently, TS 3/4.1.3 corrects for xenon redistribution by requiring a power reduction to less than or equal to 70% of the power level permitted for the existing pump configuration within 1 hour of the misalignment. This power reduction offsets the potential increase in radial power peaking due to xenon redistribution. Xenon redistribution effects become significant approximately 5 to 10 minutes after the CEA misalignment. This required power reduction is based upon the assumption that the radial peaking factor was at least 1.65 prior to the CEA misalignment.

The licensee's proposal to increase the time permitted to maintain power following a CEA misalignment is based upon the assumption that the radial peaking factor is actually less than 1.65. The increased time permitted would be that time required for the radial peaking factor to reach a value of 1.65 due to the effects of xenon redistribution. If the radial peaking factor was initially 1.65 or larger, no additional time than currently allowed would be permitted prior to reducing power.

The proposal to reduce power to 75% of the pre-CEA misalignment value rather than the currently required 70% is based on the licensee's analysis that this power reduction will offset the worst increase in radial peaking factor that would result from xenon redistribution. This analysis also demonstrated that below 50% thermal power, no power reductions were necessary to compensate for the radial peaking effects of xenon redistribution.

The licensee evaluated the proposed change against the standards in 10 CFR 50.92 and has determined that the amendment would not:

> (i) Involve a significant increase in the probability or consequences of an accident previously evaluated . . .

This proposal has no effect upon the probability of occurrence of a CEA misalignment. The only result would be a possible increase in the consequences of this event. This increase in consequences due to the time extension would be small as the significant xenon redistribution effects upon the radial peaking factor occur within 10 minutes following the CEA misalignment. Currently, up to 1 hour is permitted to reduce power. The additional time proposed would result in only a small increase in xenon redistribution and a small increase in the radial peaking factor. As this additional time is only permitted when the radial peaking factor is initially less than 1.65 and that at the end of this time, the radial peaking factor will be equal to 1.65, this increased time is consistent with the original base assumption of a pre-CEA misalignment radial peaking factor of 1.65. Thus, the consequences of this change would be a small increase in the radial peaking factor and consequently, only a negligibly smaller margin to DNB.

The increase in the consequences of this event due to the proposed increase of the thermal power limit to 75% of the pre-CEA misalignment value is not significant, either. The licensee has determined that this power limit will completely offset the worst possible increase in radial peaking due to a CEA misalignment and, as such, ensure that the margin to DNB will be maintained.

For CEA misalignment at initial thermal power levels of less than 50%, enough margin is provided in the TS required minimum DNB ratio to completely offset the radial peaking effects of xenon redistribution and ensure that DNB will not be approached. Hence, this proposal does not involve any significant increase in the probability or consequences of any accident previously evaluated.

> (ii) Create the possibility of a new or different kind of accident from any accident previously evaluated . . .

The proposal does not involve any change in system design, function or operability requirements. In the event of a misaligned CEA, the same basic actions would be taken to compensate for the resulting xenon redistribution. Consequently, this proposal does not create the possibility of any new or different accidents.

> (iii) Involve a significant reduction in a margin of safety . . .

This proposal does not result in a significant reduction in the margin to DNB due to the potential increase in time permitted before reducing thermal power and to the increase in the maximum thermal power limit for the misalignment because the significant effects of xenon distribution occur approximately 10 minutes after a CEA drop and this time is currently included in the TS LCO action requirements in that power does not have to be reduced until 1 hour after the CEA drop. Any significant reduction in margin to DNB occurs during this 10 minute period. Any additional time significantly after the initial 10 minutes following the CEA misalignment but prior to reducing thermal power will contribute only negligibly to the approach to DNB. The proposed changes in the thermal power limits also yield only a negligible reduction in the margin to DNB as these proposed power limits will completely offset the xenon redistribution effects upon radial peaking. Hence, this proposed change will not result in any significant reduction in margin to DNB or any other safety margin.

On March 6, 1986, the NRC published guidance in the **Federal Register** (51 FR 7751) concerning examples of amendments that are not likely to involve a significant hazards consideration.

One of the examples, (i), was "a purely administrative change to technical specifications: for example, . . . a change in nomenclature.". This proposal to delete the modifier "full length" from the phrase "full length CEAs" is one such administrative change as all CEA's at this plant are full length CEA's. No part length CEA's are utilized in these units, hence, there is no reason to distinguish between part length and full length.

Based upon the above discussion, the NRC staff agrees with the licensee's evaluation and proposes to determine that the proposed change to TS 3/4.1.3 involves no significant hazards considerations.

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland.

Attorney for licensee: Jay E. Silberg, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037.

NRC Project Director: Ashok C. Thadani.

Carolina Power & Light Company, Docket No. 50-325, Brunswick Steam Electric Plant, Unit No. 1, Brunswick County, North Carolina

Date of application for amendment: December 2, 1986.

Description of amendment request: The proposed amendment would change the Technical Specifications (TS) for Brunswick Steam Electric Plant, Unit 1 (Brunswick-1). The proposed change to TS Section 3/4.1.5 revises the Standby Liquid Control System (SLCS) pump relief valve setpoint and the sodium pentaborate solution concentration curve to satisfy the ATWS rule requirements specified in 10 CFR 50.62. In addition, the SLCS pump flow surveillance requirements are clarified.

The amendment request reflects modifications being made to the plant during the upcoming Reload 5 outage. These modifications are being done to bring Brunswick-1 into compliance with the requirements of paragraph (c)(4) of 10 CFR 50.62 which states, in part:

> Each boiling water reactor must have a standby liquid control system with a minimum flow capacity and boron content equivalent in control capacity to 86 gallons per minute of 13-weight percent sodium pentaborate solution.

Carolina Power & Light Company (CP&L) proposes to use two-pump operation with sodium pentaborate solution concentration maintained at greater than or equal to 13-weight percent to meet these requirements.

The existing SLCS includes two positive displacement pumps connected in parallel. The SLCS pump motor control logic is currently configured such that only one of the two pumps may be operated at any time. Modifications will be made during the upcoming Reload 5 outage to permit two pump operation. To account for the higher system pressures associated with two-pump operation, the SLCS pump relief valve setpoint specified in Surveillance Requirement 4.1.5.c.3 will be increased from 1400±50 psig to 1450±50 psig. CP&L contacted the manufacturer and determined that the relief valves are capable of operating at the proposed setpoint without damage or malfunction. The portions of the SLCS affected by the increased setpoint were evaluated and determined to be capable of performing at the increased pressure without compromising the system integrity or function. In addition, tests were performed on Brunswick-2 during the 1986 Reload 5 outage which verified that the SLCS is capable of operating under the increased pressures associated with two-pump operation.

Figure 3.1.5.-1 has also been revised to set the lower limit for sodium pentaborate concentration at 13-weight percent. This is consistent with the requirements of paragraph (c)(4) of 10 CFR 50.62.

An administrative change has been made to Surveillance Requirement 4.1.5.c.2. The current requirement is to demonstrate that the minimum-flow requirement of 41.2 gpm at a pressure of greater than or equal to 1190 psig can be achieved. The revision specifies that this requirement is 41.2 gpm per pump, avoiding possible confusion under two pump operation. The 86 gallons per minute and 13-weight percent sodium pentaborate specified by paragraph (c)(4) of 10 CFR 50.62 are values used in NEDE-24222, "Assessment of BWR Mitigation of ATWS, Volumes I and II", December 1979, for BWR/5 and BWR/6 plants with a 251-inch inside diameter vessel. NEDE-24222 recognized that different values would be equivalent for smaller plants. NEDE-24222 states that a 66-gpm control liquid injection rate in a 218-inch inside diameter vessel, as is used at Brunswick, is equivalent to the 86-gpm injection rate for a 251-inch vessel. Maintaining the minimum/flow requirement of 41.2 gpm per pump ensures that an injection rate in excess of 66 gpm will be achieved during two-pump operation.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards determination exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license involves no significant hazards considerations if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

The licensee has evaluated the proposed amendment against the standards in 10 CFR 50.92 and has determined the following:

> 1. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated because the ATWS function of the SLCS merely provides a backup to other safety-related systems. The effects of the increase in the SLCS Pump relief valve setpoint from 1400± psig to 1450±50 psig were evaluated, and it was determined that the system is capable of being operated at the increased pressure without compromising system integrity or function. The revision of Figure 3.1.5-1 ensures that the concentration of sodium pentaborate solution is maintained at or above 13-weight percent. This is in accordance with the requirements of 10 CFR 50.62. The Change to Surveillance Requirement 4.1.5.c.2 is administrative in nature and, therefore, can not increase the probability of consequences of an accident previously evaluated.
>
> 2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated because neither the safety function performed by the SLCS or the operability of the SLCS is affected by the proposed TS revisions or the accompanying plant modifications. The proposed TS changes will ensure that the SLCS is maintained such that it is capable of fulfilling the operability requirements of 10 CFR 50.62.
>
> 3. The proposed amendment does not involve a significant reduction in a margin of safety. The proposed revisions are in accordance with the requirements of 10 CFR 50.62 and provide additional assurance that the SLCS is capable of safety shutting down the reactor should an ATWS event occur. The effects of the increase in the SLCS pump relief valve setpoint were evaluated, and it was determined that the system is capable of being operated at the increased pressure without compromising system integrity or function. The revision to Figure 3.1.5-1 ensures that the concentration of sodium pentaborate solution is maintained at or above 13-weight percent, which is more restrictive than the current specification. The revision to Surveillance Requirement 4.1.5.c.2 is administrative in nature and, therefore, cannot cause a decrease in the margin of safety. As such, the proposed amendment leads to an increase in the margin of safety.

Based on the above reasoning, the licensee has determined that the proposed amendment does not involve a significant hazards consideration.

The NRC staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. Based on this review, the staff therefore proposed to determine that the proposed amendment does not involve a significant hazards consideration.

Local Public Document Room location: University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403-3297.

Attorney for licensee: Thomas A. Baxter, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N Street NW., Washington, DC 20037.

NRC Project Director: Daniel R. Muller.

Commonwealth Edison Company, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 ad 2, Ogle County, Illinois

Date of amendments request: December 23, 1986.

Description of amendment request: The amendment would revise the Technical Specifications to accommodate a modification to the narrow range resistance temperature detectors (RTDs) in the reactor coolant system. The modification involves removing and replacing the existing RTD bypass manifold system with fast response RTDs located in the reactor coolant hot leg and cold leg piping.

Basis for proposed no significant hazards consideration determination: The staff has evaluated this proposed amendment and determined that it involves no significant hazards considerations. According to 10 CFR 50.92(c), a proposed amendment to an operating license involves no significant hazards considerations if operation of the facility in accordance with the proposed amendment would not:

(1) Involve a signficant increase in the probability or consequences of an accident previously evaluated; or

(2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or

(3) Involve a significant reduction in a margin of safety.

This proposed amendment involves removing and replacing the existing RTD bypass manifold system with fast response RTDs located on the reactor coolant hot leg and cold leg piping. The original RTD bypass system utilizes an arrangement which directs a sample of the RCS flow from the main coolant piping to an independent temperature measurement manifold. Coolant is redirected by scoops from the hot leg at three locations, 120° apart in the same plant around the pipe circumference, in order to obtain a representative sample. A cold leg sample is also taken, at the discharge of the reactor coolant pump, which provides sufficient mixing such that multiple sampling is not necessary. After temperature measurement, the sample is then returned to the main coolant flow. The narrow range RTDs provided the temperature to calculate loop delta-T and T_{ave}. In order to eliminate operating obstacles associated with the bypass system (such as leakage through valves, flanges, etc. and radiation exposure during maintenance) Commonwealth Edison is proposing to install a fast response system which measures loop temperature via RTDs protruding into the coolant flow within thermowells in the piping, thereby eliminating the bypass piping network.

The use of fast response RTDs does not involve a significant increase in the probability or consequences of any accident previously evaluated. Both the non-LOCA and LOCA accidents have been reviewed. Elimination of the RTD bypass system does not affect the probability of occurrence of the non-LOCA transients. The Uncontrolled RCCA Bank Withdrawal at Power and Loss of Load/Turbine Trip transients remain ANS Condition II events (moderate frequency) and the Steamline Rupture case analyzed remains ANS Condition IV (not expected to occur, limiting fault). The probability of occurrence of a LOCA (ANS Condition III, infrequent, for small break and Condition IV for large break) also remains unchanged as a result of this modification.

The non-LOCA and LOCA accidents were reviewed verifying that the variations in uncertainty associated with certain reactor trip functions, reflected in the technical specification changes, do not invalidate the current FSAR analyses of record and, therefore, the design basis conclusions are still met. For non-LOCA transients, those that rely on overtemperature and overpower delta-T trips for mitigation were identified as limiting since the increased response time (an additional one second) would delay the generation of a trip signal slightly. These transients, which were specifically reanalyzed, were uncontrolled RCCA Bank Withdrawal at Power, Loss of Load/Turbine Trip and Steamline Rupture at Power. Reanalysis of these transients confirmed that the FSAR conclusions remain valide and there is no increase in the consequences of any of these accidents. Additionally, it was determined that sufficient allowance exists in the current FSAP assumptions such that the total temperature measurement uncertainty for the new RTD system does not impact results. With respect to a LOCA, only nominal input values are used in the analysis and, therefore, slight variations in uncertainties do not affect the results.

The use of fast response RTDs does not create the possibility of a new or different kind of accident from any accident previously evaluated. At Byron 1, the three hot leg RTDs and one cold leg RTD will utilize the existing penetrations into the RCS piping from the bypass system with only slight modifications. Therefore, the possibility of a new or different kind of accident does not exist. The only new penetration at this unit will be for the spare cold leg RTD. This thermowell boss will be designed, installed and inspected in accordance with ASME Code Class 1 pressure boundary criteria. Caps and welds sealing the crossover leg bypass return piping nozzle, as well as the modification and welding for the existing penetrations, will be similarly qualified, thus precluding the possibility for a new or different kind of accident. At Byron 2, the three hot leg and two cold leg RTDs will be installed into new penetrations in the reactor coolant piping. The design, installation and inspection at this unit will also be qualified to ASME Code Class I criteria. By adherence to these industry standards, the pressure boundary integrity of the piping will be maintained, thus precluding the possibility for a new or different kind of accident.

Consideration has been given to plant response in the remote possibility that a thermowell would be ejected from its boss. It has been concluded that the effect of this flow area is insignificant on the results of the large break LOCA analyses and bounded by the results for small break LOCA analyses.

The functions of the delta-/T_{ave} protection channels is not changed because of the bypass elimination. The newly installed fast response RTDs perform the same function in both T_{hot} and T_{cold} applications. The three T_{hot} signals are averaged, with an allowance in the electronics to permit manually adding a bias to a two-RTD average should one RTD fail. A spare RTD is installed in the cold leg and can be manually activated should the other RTD fail. These measured temperature values will still serve as input to two-out-of-four voting logic for protection functions. The basis for the instrumentation and control design meets the criteria of applicable IEEE standards, regulatory guides and general design criteria in that such principles as electrical separation, seismic and environmental qualification and single failure criteria are satisfied. Therefore, there is no possibility of a new or different kind of accident as a result of the instrumentation aspects of RTD bypass elimination.

Finally, the effect of the increased response time and setpoint uncertainty does not involve a significant reduction in a margin of safety. The investigation of the effect of these variables on non-LOCA and LOCA transients has verified that plant operation will be maintained within the bounds of safe, analyzed conditions as defined in the FSAR with the revised technical specifications. Conclusions presented in the FSAR remain valid even after taking into consideration the one second increase in response time of the new RTD system. As such, no reduction in the margin of safety between the FSAR acceptance limit and the ultimate safety limit (such as DNBR or pressure) has taken place for operation with the new RTD system.

Based on the preceding assessment, the staff proposes to determine that this proposed amendment involves no significant hazards consideration.

Local Public Document Room location: Rockford Public Library, 215 N Wyman Street, Rockford, Illinois 61103.

Attorney to licensee: Michael Miller, Isham, Lincoln and Beale, One First National Plaza, 42nd Floor, Chicago, Illinois 60603.

NRC Project Director: Steven A. Varga.

Commonwealth Edison Company, Docket No. 50–237, Dresden Nuclear Power Station, Unit No. 2, Grundy County, Illinois

Date of amendment request: December 10, 1986.

Description of amendment request: This request includes proposed Technical Specification changes in the nuclear limits to reflect the Cycle 11 9x9 reload and supporting analyses, and incorporation of an expanded power/flow operating map. In addition the proposed amendment requests the deletion of the license condition for Single Loop Operation (SLO) and incorporation of SLO provisions into the body of the Technical Specifications.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards determination exists as stated in 10 CFR 50.92(c). 10 CFR 50.91 requires at the time a licensee requests an amendment, it must provide to the Commission its analyses, using standards in 50.92, about the issue of no significant hazards consideration. Therefore, in accordance with 10 CFR 50.91 and 10 FR 50.92, the licensee has performed and provided the following analysis.

> Commonwealth Edison has evaluated the proposed Technical Specification amendment and determined that it does not represent a significant hazards consideration. Based on the criteria for defining the significant hazards consideration established in 10 CFR 50.92(c), operation of Dresden Unit 2 Cycle 11 in accordance with the proposed amendments will not:
>
> 1. Involve a significant increase in the probability or consequences of an accident previously evaluated because:
>
> a. The Exxon 9x9 fuel was first introduced to Dresden 2 Cycle 9 as Lead Test Assemblies (LTA) and these assemblies will have completed two cycles of irradiation at the end of Cycle 10. The XN-3H and XN-3L reload fuel is very similar in design to the LTAs with the exception in the number of water rods and Gadolinia-bearing fuel rods. The XN-3H and XN-3L 9x9 fuel thermal-Hydraulic performance falls between that of the ENC 8x8 fuel and the GE 8x8 fuel indicating adequate compatibility for co-residence in the Dresden 2 core. ENC evaluated the XN-3 reload fuel mechanical design using methodology which has either received recent NRC approval or is currently under NRC review. The transient analyses were performed using the same methodology as was done for Dresden 3 Cycle 10. Finally, the LOCA-ECCS analysis for the 9x9 fuel was performed with generically NRC-approved methods and the results comply with 10 CFR 50.46 criteria. Thus, the XN-3 reload 9x9 fuel design is not significantly different from those previously found acceptable to the NRC for previous reloads at Dresden 2 and 3 and therefore does not significantly increase the probability or consequences of an accident.
>
> b. The removal of the provisions regarding Single Loop Operation (SLO) from the license and the incorporation of them into the Technical Specifications, with some minor revisions and, additionally, the allowance of operation in SLO above 50% power will not significantly increase the probability or consequences of an accident because GE has previously performed analyses supporting SLO above 50% power. Further more, recent SLO tests performed at another plant site have demonstrated that operation in Single Loop does not represent a less stable mode of operation. ENC has evaluated the results of GE analyses and concludes the results are also applicable for ENC reload fuel; therefore, Dresden 2 may safely operate in SLO under the less restrictive conditions of the proposed license amendment.
>
> c. ENC has performed an Extended Load Limit Analysis (ELLLA) that supports operation in an expanded POWER/FLOW region. Previous analysis showed that transients initiated from the most limiting point of this expanded region (100/87) would be bound by the POWER/FLOW condition at 100%/100% and thus ensure that no safety limits would be violated. FOR LOCA-ECCS concern, ENC has performed limiting LOCA break calculations in support of ENC fuel in the Dresden Units for the 100/87 and the 100/100 conditions. Both operating conditions were found to result in essentially identical LOCA results with the POWER/FLOW condition of 100/87 giving the slightly higher peak cladding temperature which was used to verify the adequacy of LOCA-ECCS MAPLHGR limits. By observing the MAPLHGR limits, the (LOCA) consequences remain with the existing accident criteria established for Dresden.
>
> 2. Create the possibility of new or different kind of accident from any accident previously evaluated because:
>
> a. 9x9 fuel has been previously used in Dresden 2 and has exhibited operating characteristics similar to conventional 8x8 fuel. This operating experience plus analytical results demonstrating compatible hydraulic characteristics provides assurance that the cycle 11 core characteristics will not be significantly different from previous cycles.
>
> b. Operation in Single Loop consistent with the proposed amendment has been previously evaluated by General Electric, Exxon Nuclear Inc. and the NRC. SLO in the manner proposed is similar to that approved for previous cycles at Dresden and at other facilities and incorporates restrictions and surveillances consistent with the NRC requirements. (Generic Letter 86-09).
>
> c. Operation in the ELLLA region does not allow any new modes of operation or any new equipment which could initiate or change the nature of accident sequences.
>
> 3. Involve a significant reduction in the margin of safety for the same reason as 1. above. The proposed operation with 9x9 fuel, modified SLO provisions and utilizing the ELLLA region has been appropriately analyzed and necessary Technical Specification operating restrictions incorporated to assure that the margin to safety is maintained consistent with the NRC requirements and previous cycles.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. Therefore, the staff proposes to determine that the application for amendment involves no significant hazards consideration.

Local Public Document Room location: Morris Public Library, 604 Liberty Street, Morris, Illinois 60450.

Attorney for licensee: Mr. Michael I. Miller; Isham, Lincoln and Beale, Three First National Plaza, Suite 5200, Chicago, Illinois 60602.

NRC Project Director: John A. Zwolinski.

Commonwealth Edison Company, Docket No. 50-374, La Salle County Station, Unit 2, La Salle County, Illinois

Date of amendment request: December 9, 1986.

Description of amendment request: The proposed amendment to Operating License NPF-18 would revise the La Salle Unit 2 Technical Specifications to support the operation of La Salle County Station, Unit 2 at full rated power during the upcoming Cycle 2. The proposed amendment to support this reload changes the Technical Specifications in the following areas: (1) Establishes operating limits for all fuel types for the upcoming Cycle 2 operation; (2) establishes the Average Power Range Monitor setpoints; (3) reflects the replacement of approximately 30 percent of the core with new General Electric (GE) prepressurized barrier fuel assemblies for the upcoming Cycle 2 operation; and (4) modifies the bases section to account for the use of the new GE fuel assemblies.

To support the proposed license amendment for operation of La Salle Unit 2 during Cycle 2, the licensee submitted the following document as attachment to the application: 23A4735, Class 1, June 1986, "Supplemental Reload Licensing Submittal for La Salle County Station Unit 2, Reload 1 (Cycle 2)".

During the first refueling outage 224 GE initial fuel assemblies will be replaced with new prepressurized barrier fuel assemblies.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to the La Salle Unit 2 Technical Specifications to support this reload is very similar to Example (iii) provided by the Commission of the types of amendments not likely to involve significant hazards consideration. Example (iii) is an amendment to reflect a core reload where: (1) No fuel assemblies significantly different from those found previously acceptable to the Commission for a previous core at the facility in question are involved; (2) no significant changes are made to the acceptance criteria for the Technical Specifications; (3) the analytical methods used to demonstrate conformance with the Technical Specifications and regulations are not significantly changed; and (4) the NRC has previously found such methods acceptable.

This reload will consist of 764 assemblies, 540 of which are once burned GE fuel assemblies and 224 of which are new GE prepressurized barrier fuel assemblies. This new fuel bundle design has been approved by the staff; however, a new enrichment will be used in the fuel assemblies for this La Salle Unit 2 reload. This new fuel enrichment has not yet been included in the approved Topical Report, NEDE-24011-P-A, "General Electric Standard Application for Reactor Fuel" (GESTAR II). However, the licensing of new bundle enrichment has been treated as a non-safety related change to GESTAR II. The information required for review for this enrichment is included in the attachment to the application. This attachment states that: (1) This new fuel bundle design with the new enrichment has been analyzed by the licensee using approved methods, (2) it meets the approved limits of GESTAR II, and (3) it presents no unreviewed safety question.

Thus, this core reload involves the use of fuel assemblies that are not significantly different from those found previously acceptable to the Commission for a previous core at this facility. The proposed changes to the Technical Specifications reflect new operating limits associated with the fuel to be inserted into the core, are based on the new core physics, and are within the acceptance criteria. In the analyses supporting this reload, there have been no significant changes in acceptance criteria for the Technical Specifications, and the analysis methods have previously been found acceptable by the NRC.

The only difference between this reload and Example (iii) provided by the Commission is related to the use of the GE prepressurized barrier fuel which has been approved by the staff. The enrichment used in this fuel has not been included in GE's Topical Report; however, the licensing of a new bundle enrichment has been treated as a non-safety related change to GESTAR II. The analytical results for this new enrichment have been calculated using approved methods.

In addition to the similarity between the proposed amendment and the Commission's Example (iii), the Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from an accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

On the basis of evaluation performed in accordance with 10 CFR 50.92, and the fact that the analytical methods used have been approved previously by the NRC staff and do not provide results significantly different, the staff concludes that operation of La Salle Unit 2 in accordance with the proposed reload amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated because the proposed changes to the Technical Specifications reflect new operating limits associated with the fuel to be inserted in the core and which are based on reanalyses using the new core physics with results that remain within the previous acceptance criteria; (2) create the possibility of a new or different kind of accident from any accident previously evaluated because the proposed Technical Specification changes do not represent significant changes in the facility, acceptance criteria or safety margins and all changes have been made based on methods that have been previously accepted by the NRC; (3) involve a significant reduction in the margin of safety because the calculated safety margin for the new core is the same as that for the initial core.

Accordingly, the Commission's staff proposes to determine that the proposed changes to the Technical Specifications involve no significant hazards consideration.

Local Public Document Room location: Public Library of Illinois Valley Community College, Rual Route No. 1, Ogelsby, Illinois 61348.

Attorney for licensee: Isham, Lincoln and Burke, Suite 840, 1120 Connecticut Avenue NW., Washington, DC 20036.

NRC Project Directorate: Elinor G. Adensam.

Connecticut Yankee Atomic Power Company, Docket No. 50-213, Haddam Neck Plant, Middlesex County, Connecticut

Date of amendment request: December 24, 1986.

Description of amendment request: The proposed change revises the second note of clarification to the definition of Containment Integrity, Technical Specification Section 1.8.2.b, by including two additional valves (CC-V-884 and SS-V-999A). Also, this note has been revised to allow these manual containment isolation valves only to be opened to perform periodic surevillance, to ensure that technical specifications limits are maintained, or to ensure that system operability is maintained. The previous version of this note allowed SA-V-413 to be opened in support of maintenance activities. This was deleted in response to the NRC's SER on Amendment 86.

Basis for proposed no significant hazards consideration determination: The attached proposed change will allow periodic opening of the neutron shield tank surge tank fill valve and neutron shield tank sample line valve (CC-V-884 and SS-V-999A respectively). Opening of these valves is important to plant operation. Valve CC-V-884 is opened once approximately every two months for a few minutes to top off the neutron shield tank surge tank to compensate for evaporation and sampling and, therefore, ensures that the tank level can be monitored in the control room. The neutron shield tank level instrumentation monitors the surge tank level. Maintaining a filled neutron shield tank is required to maintain low neutron dose levels in containment and acceptable temperature levels for certain nuclear instrumentation and snubbers. Valve SS-V-999A is opened approximately once a month for 30 minutes so that a sample can be drawn. The sample is analyzed to determine water chemistry to ensure that tank integrity is maintained.

CYAPCO has reviewed the proposed changes in accordance with 10 CFR 50.92 and has concluded that they do not involve a significant hazards consideration. The basis for this conclusion is that the proposed amendment would not:

1. Involve a significant increase in the consequences of an accident previously evaluated because design basis containment isolation times are maintained. Further, because the opening of CC-V-844 or SS-V-999A cannot initiate any design basis accident is not increased.

2. Create the possibility of a new or different kind of accident from any previously analyzed because the postulated failure modes for the affected valves cannot cause an initiating event and, therefore, cannot create the possibility for a new unanalyzed accident. The component cooling water system and the neutron shield tank are the only other system potentially affected by this change. These systems are not safety-related. However, the neutron shield tank supports the reactor vessel. No credible failure mode of CC-V-884 or SS-V-999A (tank overfill or drain, respectively) can affect the ability of the neutron shield tank to support the reactor vessel. Therefore, the possibility of a new or different kind of accident from any previously analyzed is not created.

3. Involve a significant reduction in the margin of safety because all initial assumptions of the design basis safety analysis are preserved through the use of administrative controls that ensure the manual valves in question are closed

within 60 seconds of a containment isolation actuation signal. Further, as discussed above, system configuration and pressure and back-up isolation valves provide additional protection to ensure no significant reduction in the margin of safety occurs.

The staff has reviewed the licensee's determination that the proposed license amendment involves no significant hazards consideration and agrees with the licensee's analysis. Accordingly, the Commission proposes to determine that the proposed changes do not involve a significant hazards consideration.

Local Public Document Room location: Russell Library, 123 Broad Street, Middletown, Connecticut 06457.

Attorney for licensee: Gerald Garfield, Esquire, Day, Berry and Howard, Counselors at Law, City Place, Hartford, Connecticut 06103–3499.

NRC Project Director: Christopher I. Grimes.

Connecticut Yankee Atomic Power Company, Docket No. 50–213, Haddam Neck Plant, Middlesex County, Connecticut

Date of amendment request: December 31, 1986.

Description of amendment request: The proposed amendment would modify Technical Specification 3.20, "Reactor Coolant System Flow, Temperature and Pressure," and Technical Specification Figure 2.2–2 to include revised three-loop operation safety limits and reactor coolant system (RCS) flow rate requirements based upon the results of loop flow measurements conducted during the Cycle 14 (current cycle) startup. By letter dated August 7, 1986, Connecticut Yankee Atomic Power Company (CYAPCo) administratively prohibited three-loop operation at the Haddam Neck Plant until the revised safety limits, based on the lower measured loop flow rates, are reviewed and approved.

Basis for proposed no significant hazards consideration determination: The current four-loop and three-loop operation safety limits are provided in Technical Specifications 2.2 and 3.20 of the Haddam Neck Plant technical specifications and are based upon assumed design hot-channel factors and core flow rate requirements. The current three-loop vessel flow rate, assuming 4.5% core bypass flow, is 207,500 gpm. During the Cycle 14 startup tests, CYAPCo measured the three-loop flow rate as 202,500 gpm at the new temperature detector locations.

CYAPCo reevaluated the three-loop safety limits assuming a value of 197,200 gpm for the three-loop vessel flow rate. The revised flow rate value was selected to preserve the current variable low pressure trip setpoint for three-loop operation and provides a 3% margin to the measured flow rate value. The revised three-loop operation safety limits have been included as Figure 2.2–2 in the December 31, 1986 amendment application.

CYAPCo has reviewed the proposed changes in accordance with 10 CFR 50.92 and has concluded that they do not involve a significant hazards consideration in that these changes would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated because there is no increase in the probability of occurrence of a LOCA or non-LOCA event as a result of this change. There are no safety systems affected by the change. The variable low pressure trip was evaluated based on the proposed three-loop safety limits. It has been determined that the changes in the three-loop safety limits do not result in a reduction of protection provided by this trip.

2. Create the possibility of a new or different kind of accident from any previously analyzed. The plant response for LOCA and non-LOCA events was not significantly affected by the reduction in the allowable three-loop flow rate and there were no new failure modes and no safety systems adversely affected due to this change. Therefore, no new unanalyzed accidents are created.

3. Involve a significant impact on the margin of safety, in that the protective boundaries are not affected since the peak cladding temperature for the design basis LOCA remains below the regulatory limit of 2300° F. Also, the safety limits were modified to account for the decrease in minimum allowable RCS flow. These safety limits are still based on the minimum departure from nucleate boiling ratio and maximum void fraction criteria of 1.3 and 32%, respectively. Therefore, the margin of safety has not affected and there is no impact on the protective boundaries. The proposed reduction in the three-loop RCS flow rate does not change the basis of Technical Specification 2.2. The basis continues to assure fuel rod integrity and the prevention of fission product release. The reactor core safety limits have been modified to account for the reduction in the flow rate consistent with the value specified in Technical Specification 3.20.

The staff has reviewed the licensee's determination that the proposed license amendment involves no significant hazards consideration and agrees with the licensee's analysis. Accordingly, the staff proposes to determine that the proposed changes do not involve a significant hazards consideration.

Local Public Document Room location: Russell Library, 123 Broad Street, Middletown, Connecticut 06547.

Attorney for licensee: Gerald Garfield, Esquire, Day, Berry and Howard, Counselors at Law, City Place, Hartford, Connecticut 06103–3499.

NRC Project Director: Christopher I. Grimes.

Consumers Power Company, Docket No. 50–155, Big Rock Point Plant, Charlevoix County, Michigan

Date of amendment request: December 30, 1986.

Description of amendment request: The proposed changes to the Technical Specifications for the Big Rock Point Plant reflect inclusion of a second vent and a second drain valve to the scram dump tank. The second valves are being installed to reduce the potential for a LOCA due to a single failure in the scram dump tank system.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists, as stated in 10 CFR 50.92(c). The licensee has performed an evaluation using the criteria given in 10 CFR 50.92(c) and has applied them to the proposed Technical Specification changes. The licensee's evaluation is presented below.

This Technical Specification change is being requested to add a redundant vent and drain valve to the scram dunk tank isolation system. This modification based on the results of an evaluation performed by the Big Rock Point staff of the potential for a LOCA due to single failure in the scram dump tank vent and drain isolation system.

This modification is identified in the Big Rock Point IPSAR (NUREG–0828), May 1984, and is being tracked as Integrated Plan Issue #84 in the Plan for the Big Rock Point Integrated Assessment, February 12, 1986. The evaluation found that the probability for such an occurrence was significant enough to justify adding a redundant vent and drain valve to the scram dump tank isolation system. These two new valves are air-operated similar to those currently utilized and will operate in unison with the existing two valves and their control scheme. This modification is planned to be installed during the current 1987 refueling outage.

The addition of the second vent and drain valve, as proposed by this Technical Specification change, significantly reduces the probability of a LOCA due to a single failure in the scram dump tank vent and drain isolation system. Therefore, this proposed change decreases the probability of a previously evaluated accident.

The proposed change does not alter the operational or testing requirements for the scram dump tank vent and drain valves. Since the additional valves operate in unison with existing valves from the same control air sources, test methods are not changed. Therefore, this proposed change does not create the possibility of a new different kind of accident from any accident previously evaluated.

The underlying purpose of the portion of the Technical Specifications where this change occurs is to ensure that scram dump tank discharge volume failure do not significantly increase the probability of an anticipated Transient Without Scram (ATWS). The licensee's probability analysis of this change shows that the addition of the proposed vent and drain valves has virtually no impact on the probability of an ATWS that could be caused by an inadvertent closure of the drain and vent valves. Thus the margin of safety associated with this proposed change is not decreased.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. Therefore, the staff proposes to determine that the application for amendment involves no significant hazards consideration.

Local Public Document Room location: North Central Michigan College, 1515 Howard Street, Petoskey, Michigan 49770.

Attorney for licensee: Judd L. Bacon, Esquire, Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201.

NRC Project Director: John A. Zwolinski.

Detroit Edison Company, Docket No. 50-341, Fermi-2, Monroe County, Michigan

Date of amendment requests: January 7, 1987.

Description of amendment requests: The proposed amendment, if approved, would significantly revise the Fermi-2 Operating License No. NPF-43 Plant Technical Specification Section 6.0, "Administrative Controls," to: (1) Eliminate certain organizational charts; (2) change the titles of various organizations to more accurately reflect the current Fermi-2 Organization; and (3) strengthen the responsibilities of the licensee's Onsite Review Organization or OSRO.

The administrative control changes proposed in the licensee's request of January 7, 1987, supersede changes previously discussed with the NRC staff and documented in the licensee's letters dated October 10, 1985, January 29, 1986, July 2, 1986, August 5, 1986 and September 30, 1986.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from an accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The licensee has determined that the changes proposed to Technical Specification Section 6.0:

1. Do not involve a significant increase in the probability or consequences of an accident previously evaluated, since the changes proposed to Section 6.0 of the Plant Technical Specifications do not affect the safety analyses presented in the Fermi-2 FSAR. Rather, the administrative changes proposed are expected to enhance safety and reduce the probability of an accident by ensuring the proper administrative control of plant operation, maintenance and oversight reviews, and have no relationship to previously analyzed accidents.

2. Do not create the probability of a new or different kind of accident from any previously evaluated. For the reasons stated in (1) above, the changes proposed in Section 6.0 of the Plant Technical Specifications are administrative in nature and are expected to strengthen management control over plant operation for ensuring its safe control and operation. The organizational changes will not alter the physical features of the plant, but are expected to improve management systems over those in place when the Fermi-2 Operating License No. NPF-43 was issued in 1985.

3. Do not involve a significant reduction in safety margin since the organizational changes proposal are expected to ensure greater involvement of the licensee's upper management in all levels of plant operation, surveillances and maintenance, thereby increasing the margin of safety in plant operational performance.

The Commission agrees with the licensee's determinations and proposes to determine that the requested change does not involve a significant hazards consideration.

Local Public Document Room location: Monroe County Library Systems, 3700 South Custer Road, Monroe, Michigan 48161.

Attorney for the licensee: John Flynn, 2000 Second Avenue, Detroit, Michigan, 48226.

NRC Project Director: Elinor G. Adensam.

Duke Power Company, Dockets Nos. 50-269, 50-270 and 50-287, Oconee Nuclear Station, Units Nos. 1, 2 and 3, Oconee County, South Carolina

Date of amendment request: December 12, 1986.

Description of amendment request: The proposed amendments would revise the Station's common Technical Specifications (TSs) to: (1) Support the operation of Oconee Unit 3 at full rated power during the upcoming Cycle 10. Figure 3.5.2-12, the Unit 3 Operational Power Imbalance Envelope curve, would be updated to reflect current cycle operating characteristics; (2) provide a more conservative curve for the Unit 1 Operational Power Imbalance Envelope (Figure 3.5.2-10) to allow 10 CFR Part 50.59 reviews of future core reloads; (3) update TS 3.5.2.4.b.2 (quadrant power tilt) to reflect the fact that power level cutoffs (other than 100%) are no longer applicable to Oconee; (4) delete TS 3.5.2.6 (xenon reactivity) because operating restrictions resulting from transient xenon power peaking are implicitly included in the limits of TS 3.5.2.5 (control rod positions) and proposed TS 3.5.2.6 (reactor power imbalance). This would be noted in the bases of TS 3.5; and (5) change TSs 3.5.2.7, 3.5.2.8 and 3.5.2.9 to reflect the deletion of TS 3.5.2.6 (xenon reactivity).

To support item 1 for operation of Oconee Unit 3 at Cycle 10, the licensee submitted, as an attachment to the application, a Duke Power Company (DPC) Report, DPC-RD-2008, "Oconee Unit 3, Cycle 10, Reload Report," dated December 1986. A summary of the Cycle 10 operating parameters is included in the report, along with safety analyses. During the refueling outage, 117 fuel assemblies will be reinserted similar to those previously used, and 60 fuel assemblies will be discharged and replaced with new, but substantially similar, assemblies of the Mark BZ type. As in the previous cycle, Cycle 10 will utilize gray (less-absorbing) axial power shaping rods (APSRs) instead of the previously used black (high-absorbing)

APSRs. The use of the Mark BZ fuel assemblies and the gray APSRs was approved by the Commission's staff for use at Oconee.

Each accident analysis addressed in the Oconee Final Safety Analysis Report (FSAR) has been examined by the licensee with respect to changes in Cycle 9 parameters to determine the effect of the Cycle 10 reload and to ensure that thermal performance during hypothetical transients is not degraded. The transient evaluation of Cycle 10 is considered to be bounded by previously accepted analyses. Section 7 of the Reload Report addresses "Accident and Transient Analysis" for this core reload. Sections 4, 5 and 6 of the Oconee Unit 3, Cycle 10 Reload Report address fuel system design, nuclear design and thermal-hydraulic design considerations. The licensee states that the value limits and margins discussed in these areas are well within the allowable limits and requirements.

Item 2 would provide a more conservative curve for Oconee Unit 1 Operational Power Imbalance Envelope to allow 10 CFR Part 50.59 reviews for future core reloads.

The update of item 3 reflects the fact that power level cutoffs (other than 100%) are no longer applicable to Oconee. Thus, the licensee states that each accident analysis addressed in the Oconee FSAR is not affected by this change.

Each accident addressed in the Oconee FSAR has been examined with respect to item 4. Operating restrictions from transient xenon power peaking are implicitly including in the limits of TS 3.5.2.5 and the proposed TS 3.5.2.6; as a result, deletion of the present TS 3.2.5.6 is purely administrative in nature.

Item 5 would be renumbered to reflect the deletion of item 4 and is administrative in nature.

Basis for proposed no significant hazards consideration determination: The Commission has provided guidance concerning the application of the standards in 10 CFR 50.92 by providing certain examples (51 FR 7750). Example (iii) of the types of amendments not likely to involve significant hazards considerations is an amendment to reflect a core reload where:

(1) No fuel assemblies significantly different from those found previously acceptable to the Commission for a previous core at the facility in question are involved;

(2) No significant changes are made to the acceptance criteria for the Technical Specifications;

(3) The analytical methods used to demonstrate conformance with the Technical Specifications and regulations are not significantly changed; and

(4) The NRC has previously found such methods acceptable.

This particular reload involves the reinsertion of 117 fuel assemblies of a type previously approved and used and the insertion of 60 fuel assemblies of the Mark BZ type. The Mark BZ fuel assemblies are the same as previously approved and used assemblies in terms of fuel rods, end grid, end fittings, and guide tubes and differ only slightly from previously approved assemblies in the use of Zircaloy spacer grids rather than Inconel Intermediate Spacer grids. Thus, this core reload involves the use of fuel assemblies that are not significantly different from those found previously acceptable to the Commission for a previous core at this facility. The request for amendment changes the TSs to reflect new operating limits based on the fuel and control rods to be inserted into the core. These parameters are based on the new physics of the core and fall within the acceptance criteria.

In the analyses supporting this reload, there have been no significant changes in the acceptance criteria for the Technical Specifications, the analytical methods used to demonstrate conformance with the Technical Specifications and the regulations were not significantly changed, and those analytical methods have been previously found acceptable. Thus, this reload and the proposed license amendments reflecting it appear to be encompassed by example (iii) of amendments not likely to involve a significant hazards consideration.

Example (ii) of the types of amendments not likely to involve significant hazards considerations is an amendment that constitutes an additional limitation, restriction or control not presently included in the TSs. Example (ii) applies to item 2 in that the proposed Figure 3.5.2–10 provides a more conservative operational power imbalance envelope for Oconee Unit 1.

Example (i) of the types of amendments not likely to involve significant hazards considerations is an amendment that is a purely administrative change to the TSs. Example (i) applies to items 3, 4 and 5 because they are administrative in nature.

Since the application for amendments involves proposed changes that are similar to examples (i), (ii) and (iii) for which no significant hazards considerations are likely to exist, the Commission proposes to determine that this action involves no significant hazards consideration.

Local Public Document Room location: Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina 29691.

Attorney for licensee: J. Michael McGarry, III, Bishop, Liberman, Cook, Purcell and Reynolds, 1200 17th Street NW., Washington, DC 20036.

NRC Project Director: John F. Stolz.

Florida Power and Light Company, Docket No. 50–335, St. Lucie Plant, Unit No. 1, St. Lucie County, Florida

Date of amendment request: December 23, 1986.

Description of amendment request: One parameter that is monitored to ensure safe reactor core operation is linear heat rate, as measured in kilowatts per foot (kw/ft). The limitations on linear heat rate ensures that, in the event of a loss-of-coolant accident, the peak temperature of the fuel cladding will not exceed 2200 °F. The currently allowed linear heat rate for Unit No. 1 is contained in Figure 3.2–1 of the Technical Specifications. Figure 3.2–1 contains a plot of allowable peak linear heat rate versus fraction of core height. The currently allowable peak linear heat rate is 15.0 kw/ft for up to 60 percent of core height; it then decreases to 14.0 kw/ft at 81 percent of core height. Finally, it decreases to 10.81 kw/ft at the top of the core. The figure is applicable at all times of core life.

The amendment would change Figure 3.2–1 such that the maximum peak linear heat rate would be a function of core lifetime. Implicitly, the maximum value would be applicable for any core height. The actual value proposed is 15 kw/ft. The net effect of the proposed change would permit a higher maximum kw/ft value for the upper 40 percent of the core.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The licensee addressed the above three standards in the amendment application. In regard to the first standard, the licensee provided the following analysis:

> Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.
>
> The plant will be operated in essentially the same manner as before and no change in plant configuration has occurred. Therefore, there is no increase in the probability of accidents previously evaluated.
>
> The accident analyses have been evaluated and have been found to be bounded by the consequences of accidents previously analyzed.
>
> In connection with the second standard, the licensee states that:
>
> Use of the modification specification would not create the possibility of a new or different kind of accident from any accident previously evaluated.
>
> The plant will be operated in essentially the same manner as before and no change in plant configuration is involved. Therefore, there will be no possibility of a new or different accident.
>
> Regarding the third standard, the licensee states that:
>
> Use of the modified specification would not involve a significant reduction in a margin of safety.
>
> The Acceptance Criteria for emergency core cooling systems for light water nuclear power reactors is specified by 10 CFR 50.46. The input changes that result from this amendment provide results within the Acceptance Criteria of 10 CFR 50.46.

The staff has reviewed the licensee's no significant hazards consideration determination analysis. Based upon this review, it appears that the standards have been met because the licensee's analysis appears to justify that all acceptance criteria are met by raising the peak kw/ft value to 15 kw/ft for the upper 40 percent of the core height.

Based upon the above discussion, the staff proposes to determine that the proposed change does not involve a significant hazards consideration.

Local Public Document Room location: Indian River Junior College Library, 3209 Virginia Avenue, Fort Pierce, Florida 33450.

Attorney for licensee: Harold F. Reis, Esquire, Newman and Holtzinger, 1615 L Street NW., Washington, DC 20036.

NRC Project Director: Ashok C. Thadani.

GPU Nuclear Corporation, et al., Docket No. 50-289, Three Mile Island Nuclear Station, Unit No. 1, Dauphin County, Pennsylvania

Date of amendment request: November 3, 1986, as supplemented on November 19, 1986.

Description of amendment request: The proposed Technical Specification (TS) change would revise Section 3.4.1.2 such that only two Main Steam Safety Valves (MSSVs) per steam generator would be required operable for Reactor Coolant System (RCS) temperatures between 250°F and Hot Shutdown. The existing TSs require all 18 MSSVs to be operable whenever RCS temperature is greater than 250°F.

Basis for proposed no significant hazards consideration determination: MSSV maintenance is planned for the 6R refueling outage. Post-maintenance testing of MSSVs will necessitate main steam pressue of approximately 900 psig (532 °F). Current TS 3.4.1.2 requires all 18 MSSVs to be operable when RCS temperature is greater than 350 °F. This specification does not provide applicable plant conditions to support in-place testing of MSSVs after valve maintenance. The specification is primarily scoped to address power operations. Limiting Conditions for Operation (LCO) action statements allow up to three inoperable MSSVs if reactor power is reduced accordingly. Inoperability of MSSVs during subcritical operations is not clearly addressed by the TSs. This application for amendment proposes to encompass this area of silence.

Plant-specific analysis (dated November 19, 1986) by the licensee indicates that one MSSV is sufficient to relieve total RCS heat load from RC pumps and core decay (assuming reactor subcritical for at least one hour). However, the requested TS change dated November 3, 1986, would require two operable MSSVs per steam generator for conservative redundancy. ASME Boiler and Pressure Vessel Code, Section III, requires only one safety relief valve to be operable.

Pursuant to the provisions of 10 CFR 50.91, GPU Nuclear has provided an analysis of no significant hazards consideration using the standards prescribed by 10 CFR 50.92(c). The Commission's staff has reviewed the proposed amendment and associated analyses. Based upon this preliminary review, the staff has determined:

(1) Operation of TMI-1 in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated because analysis shows two MSSVs per steam generator provide sufficient capacity and redundancy for relieving that total postulated steam flow. The consequences of potential system ovepressure events during Hot Shutdown conditions (assuming reactor subcritical for at least one hour) are not nearly as severe or challenging as the full load rejection accident analyzed in Chapter 14 of the Final Safety Analysis Report (FSAR). Event probability is not adversely affected by, nor even directly related to, this TS change.

(2) Operation of TMI-1 in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated. The postulated effects of this change during accident conditions are bounded by the more demanding accident scenarios evaluated in Chapter 14 of the TMI-1 FSAR. Potential main steam overpressure conditions have been previously evaluated and discussed in the FSAR.

(3) Operation of TMI-1 in accordance with the proposed amendment would not involve a significant reduction in the margin of safety because analysis indicates only one MSSV is sufficient to remove anticipated heat loads. The proposed TSs provide for conservative redundancy by requiring over 400% main steam relief capacity whenever the reactor is subcritical for at least one hour.

Accordingly, based on the above discussions, the Commission proposes to determine that the application for amendment does not involve significant hazards consideration.

Local Public Document Room location: Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126.

Attorney for licensee: Ernest L. Blake, Jr. of Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037.

NRC Project Director: John F. Stolz.

Indiana and Michigan Electric Company, Docket Nos. 50-315 and 50-316, Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2, Berrien County, Michigan

Date of amendment request: January 9, 1987 as supplemented January 13, 1987

addressed by the TSs. This application for amendment proposes to encompass this area of silence.

Plant-specific analysis (dated November 19, 1986) by the licensee indicates that one MSSV is sufficent to relieve the total RCS heat load from RC pumps and core decay (assuming reactor subcritical for at least one hour). However, the requested TS change dated November 3, 1986, would require two operable MSSVs per steam generator for conservative redundancy. ASME Boiler and Pressure Vessel Code, Section III, requires only one safety relief valve to be operable.

Pursuant to the provisions of 10 CFR 50.91, GPU Nuclear has provided an analysis of no significant hazards consideration using the standards prescribed by 10 CFR 50.92(c). The

Commission's staff has reviewed the proposed amendment and associated analyses. Based upon this preliminary review, the staff has determined:

(1) Operation of TMI-1 in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated because analysis shows two MSSVs per steam generator provide sufficient capacity and redundancy for relieving the total postulated steam flow. The consequences of potential system ovepressure events during Hot Shutdown conditions (assuming reactor subcritical for at least one hour) are not nearly as severe or challenging as the full load rejection accident analyzed in Chapter 14 of the Final Safety Analysis Report (FSAR). Event probability is not adversely affected by, nor even directly related to, this TS change.

(2) Operation of TMI-1 in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated. The postulated effects of this change during accident conditions are bounded by the more demanding accident scenarios evaluated in Chapter 14 of the TMI-1 FSAR. Potential main steam overpressure conditions have been previously evaluated and discussed in the FSAR.

(3) Operation of TMI-1 in accordance with the proposed amendment would not involve a significant reduction in the margin of safety because analysis indicates only one MSSV is sufficient to remove anticipated heat loads. The proposed TSs provide for conservative redundancy by requiring over 400% main steam relief capacity whenever the reactor is subcritical for at least one hour.

Accordingly, based on the above discussions, the Commission proposes to determine that the application for amendment does not involve significant hazards considerations.

Local Public Document Room location: Government Publication Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126.

Attorney for licensee: Ernest L. Blake, Jr. of Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037.

NRC Project Director: John F. Stolz.

Indiana and Michigan Electric Company, Docket Nos. 50-315 and 50-316, Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2, Berrien County, Michigan

Date of amendment request: January 9, 1987 as supplemented January 13, 1987.

Description of amendment request: The proposed amendments would revise the Technical Specifications by deleting the expiration date of the provision that the auxiliary building crane main hoist be deenergized and the load blocks unloaded whenever the crane is moved over the spent fuel assemblies in the spent fuel pool. The amendment would also remove this provision in its entirety upon the NRC approval of the load block analysis submitted by the January 9, 1987 letter.

Basis for proposed no significant hazards consideration determination: The Commission's standard for determining whether a significant hazard consideration exists is as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. By license amendments dated February 24, 1986 (51 FR 8608), the NRC approved a provision until February 28, 1987 to limit the auxiliary building crane movement over the spent fuel pool. The provision required the main hoist to be deenergized and the load block to be unloaded. In the Safety Evaluation accompanying the license amendment, a final no significant hazards determination was made for the operation of the crane in accordance with the provision. It was found that operation of the main hoist in the deenergized and unloaded condition would not significantly increase the consequences or probability of previously analyzed accidents involving the crane system nor would the crane condition create the possibility of a new or different kind of accident from any previously analyzed. Since the failure mechanisms of the main hoist and load block are significantly reduced, operation in the deenergized, unloaded mode over the spent fuel does not involve a significant reduction in a margin of safety. Therefore, the Commission made a final determination that the amendment involved a no significant hazards consideration. The request to delete the expiration date of the provision is to continue the provision during the period of staff review and does not change the operation from that allowed for the past year. Therefore, the previous determination is still valid and unchanged and the staff has made a proposed determination that the amendments to modify the provision continue to involve a no significant hazards consideration.

The proposed amendments would also remove the provision for limited crane operation at the successful conclusion of the staff review of the load drop analysis submitted by the January 9, 1987 letter. The load drop accident is the previously analyzed accident for the spent fuel pool and the new analysis; assuming that radioactive iodine from the accident is filtered through the spent fuel pool filter system, results in an increased release still well below the criteria found acceptable for such an accident. This criteria is that the site boundary doses are to be well below the 10 CFR 100 limits, i.e., one quarter of the 10 CFR 100 limits. Thus, consequences of the accident will increase but are within acceptable dose limits and are therefore not considered to be a significant increase.

The approved operation with the main hoist deenergized and the load block unloaded was to significantly decrease the probabilities of an accident such that the then unknown consequences would not be a factor in continued operation. The proposed operation of the crane with the hoist energized and with analyzed loads in accordance with established procedures will again introduce the probabilities of an accident occurring but at a no greater frequency than had been analyzed previously. The licensee proposes to operate the building under negative pressure to assure any radioactive release is filtered through the spent fuel pool filter system or if the filter system is inoperable, to apply the current provision of deenergizing the hoist and unloading the block. With these new provisions, the proposed amendment would not significantly increase the probabilities or consequences of previously analyzed accidents nor would the crane operation create the possibility of a new or different kind of accident from any previously analyzed. The increase in consequences does reduce the margin of safety but because the consequences are small and well within the acceptable criteria, the reduction is, likewise, not considered significant.

On the basis of the above, the staff proposes to determine that the amendments involve a no significant hazards consideration.

Local Public Document Room location: Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Attorney for licensee: Gerald Charnoff, Esquire, Shaw, Pittman, Potts and Trowbridge, 1800 M Street NW., Washington, DC 20037.

NRC Project Director: B.J. Youngblood.

Niagara Mohawk Power Corporation, Docket No. 50-220, Nine Mile Point Nuclear Station, Unit No. 1, Oswego County, New York

Date of amendment request: October 30, 1986, as supplemented by letter dated January 15, 1987.

Description of amendment request: The proposed amendment would modify Figures 2.1.1 and 3.1.7aa in the Appendix A Technical Specifications (TS), regarding the limiting relationships between core power and core flow rate. Specifically, the changes to Figures 2.1.1 and 3.1.7aa would reflect changes to: (1) Reduce a restriction on the reactor operating range and (2) provide consistency with the current reload analyses for the present Nine Mile Point Unit 1 core configuration and parameters. This includes changes to the Bases for Sections 2.1.2 and and 3.1.7 of the TS.

At present, the limiting power flow line (PFL) in Figure 3.1.7aa limits full power operation to the reactor coolant flow range from 91 percent to 100 percent of rated core flow (67.5 MLBs/hr). Below 91 percent flow, thermal power is limited to the PFL defined by $P=.55w+50$ (P=percent rated thermal power and w=percent rated core flow). In practice, this region is further restricted by the flow biased APRM rod block trip setting line (RBL) in Figure 2.1.1. Below 105% of rated power, the RBL is also defined by $P=.55w+50$. In order to ensure compliance with this RBL limit, the RBL is set by the licensee slightly below the TS limit. This effectively limits full power operation to a flow range of about 94 to 100 percent of rated core flow.

The proposed modifications to Figures 2.1.1 and 3.1.7aa would change the range of full power operation to the range of from 85 to 100 percent of rated core flow. Below 85 percent flow, the PFL would become the proposed line, $P=.55w+53$. For the RBL, the proposed line would become $P=.55w+55$, which is above the proposed PFL. The proposed PFL is a result of a recent extended load line limit analysis by General Electric for Nine Mile Point Unit 1. This analysis is reference 2 to the application dated October 30, 1986.

The flow biased APRM rod block trips prevents a control rod withdrawal if the core power is too high for the reactor coolant flow. The APRM are the average power range monitors used to monitor core power. This restriction on rod movement is represented by the RBL in TS Figure 2.1.1. The rod block trip setting in the nuclear instrumentation must be less than the values of power and flow in the PBL.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c).

The licensee has presented its determination of no significant hazards consideration as follows:

> 10 CFR 50.91 requires that at the time a licensee requests an amendment, it must provide to the Commission its analysis, using the standards in Section 50.92 about the issue of no significant hazards consideration. Therefore, in accordance with 10 CFR 50.91 and 10 CFR 50.92, the following analysis has been performed:
>
> *The operation of Nine Mile Point Unit 1 in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.*
>
> The proposed changes to the power/flow and the rod block lines are a result of the extended load line limit analysis performed by General Electric for Nine Mile Point Unit 1. The analysis which is documented in NEDC-31126 (reference 2 [to the application]) shows that the consequences of transients and accidents initiated from within the ELLLA (extended load line limit analysis) region are bounded by the existing safety bases. Therefore, all existing safety bases applied to Nine Mile Point Unit 1 are satisfied for operation within the extended load line limit analysis region and the proposed changes do not increase to probability or consequences of an accident previously evaluated.
>
> *The operation of Nine Mile Point Unit 1 in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any previously evaluated.*
>
> The proposed change involved changing the rod block and power/flow lines. These changes have been analyzed for their effect on accidents and transients as indicated in reference 2 [to the application]. The changes in the power/flow and the rod block lines will not create the possibility of a new or different accident.
>
> *The operation of Nine Mile Point Unit 1 in accordance with the proposed amendment will not involve a significant reduction in a margin of safety.*
>
> As a result of changing the rod block line, the delta CPR (critical power ratio) for the rod withdrawal error, the only analysis affected by this change, increased from 0.30 to 0.33. This transient is the limiting transient from BOC (Beginning of Cycle) to EOC (End of Cycle) minus 2,000 MWD/ST. In order to maintain the existing 1.07 CPR safety limit, the increased delta CPR would require increasing the operating MCPR (minimum critical power ratio) for this exposure range from 1.37 to 1.40. However, the current Technical Specification limit is already 1.40 for the exposure range during which the rod withdrawal error is limiting. All other transients analyzed at the 100/85 power/flow point are bounded by the analysis performed at the 100/100 power/flow point or result in a delta CPR which is less than the limiting MCPR. Therefore, since the operating limit MCPR for Nine Mile Point Unit 1 continues to maintain the existing 1.07 CPR safety limits, the margin of safety as a result of this change will remain the same.

The staff has reviewed the licensee's no significant hazards consideration determinations and agrees with the licensee's analysis. Therefore, the staff proposes to determine that the application for amendment involves no significant hazards consideration.

Local Public Document Room location: State University of New York, Penfield Library, Reference and Documents Department, Oswego, New York 13126.

Attorney for licensee: Troy B. Conner, Jr., Esquire, Conner & Wetterhahn, Suite 1050, 1747 Pennsylvania Avenue NW., Washington, DC 20006.

NRC Project Director: John A. Zwolinski.

Northeast Nuclear Energy Company, Docket No. 50-245, Millstone Nuclear Power Station, Unit No. 1, New London County, Connecticut

Date of amendment request: December 16, 1986.

Description of amendment request: The proposed amendment involves changing the setpoints on the main steam line radiation monitors (MSLRMs) and the steam tunnel ventilation radiation monitors to facilitate the implementation of Hydrogen Water Chemistry (HWC) Pre-Implementation Test. The changes affect Tables 3.1.1 and 3.2.1, technical specification section 3.2.E.3.C and Basis section 3.2.

The purpose of the test is to study the feasibility of adding hydrogen to the primary coolant to inhibit intergranular stress corrosion cracking (IGSCC) at Millstone Unit No. 1. the addition of hydrogen is expected to reduce the concentration of oxygen in the primary coolant and to increase the N-16 activity in the steam. The increase in N-16 would result in a higher background radiation level being detected by the MSLRMs and the steam tunnel ventilation radiation monitors. Similar

HWC tests have been conducted at other BWR nuclear power plants, including Dresden 2, Peach Bottom 3, Pilgrim, Fitzpatrick and Duane Arnold.

Similar changes to the MSLRM setpoints have been reviewed and approved by the NRC Staff. The test involves injection of hydrogen into the feedwater system in predetermined amounts, none large enough to result in an unexpected change in any plant parameter with the plant operating at 90% of rated power level.

The purpose of the MSLRMs is to close the main steam isolation valves (MSIVs) and scram the reactor upon detection of abnormally high radiation levels in the main steam lines. The proposed changes to Tables 3.1.1 and 3.2.1 would allow increasing the trip level setpoints during hydrogen injection for the MSLRMs from the current value within 24 hours prior to the planned start of the test and with reactor power greater than 20% of rated. The current requirement is equal to or less than seven times the normal full power background radiation level. Based on either calculations or measurement of actual radiation levels resulting from the hydrogen injection, the background radiation level and associated trip setpoints could be adjusted during the test program. If reactor power drops below 20% of rated power with the MSLRM setpoints at the test value due to a recirculation pump trip or other power reduction event, control rod withdrawal will be prohibited until the necessary setpoint readjustment can be made.

The proposed change would also allow a permanent trip setpoint increase for the steam tunnel ventilation radiation monitors from 12 mr/hr to 50 mr/hr for normal operation (TS section 3.2.E.3.C and TS Bases section 3.2). In addition, the trip setpoint could be further increased, as necessary, within 24 hours prior to the planned start of the hydrogen injection test, up to 100 mr/hr, provided that the difference between the increased setpoint and the calculated value of the background radiation level expected during the test does not exceed 50 mr/hr.

Basis for proposed no significant hazards consideration determination: The Commission has provided guidance concerning the application of standards in 10 CFR 50.92 by providing certain examples (51 FR 7750, March 6, 1986). The changes proposed herein are most closely enveloped by example (vi), changes which either may result in some increase to the probability or consequences of a previously analyzed accident or may reduce in some way a safety margin, but where the results of the change are clearly within all acceptance criteria with respect to the system or component specified in the Standard Review Plan. The proposed changes are similar to this example in that the results of the change are within all acceptance criteria. The licensee evaluated the proposed amendment against the standards in 10 CFR 50.92 and has determined that it does not involve significant hazards considerations because the TS changes would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated in that neither the MSLRMs nor the steam tunnel ventilation radiation monitors are credited in any design basis accidents.

2. Create the possibility of a new or different kind of accident from any previously analyzed. The failure probability of the safety sytems/functions affected by these changes, reactor scram and MSIV closure on high main steam line radiation and steam tunnel ventilation isolation on high airborne activity, will not be affected.

3. Involve a significant reduction in a margin of safety. If the MSLRM trip setpoints are not increased during the hydrogen injection, the probability of spurious, unnecessary scrams would be significantly increased. The steam jet air ejector (SJAE) monitors are more sensitive and have a lower trip setpoint than the MSLRMs. High radiation levels at this location will close the valve at the base of the stack before any activity is released. This feature is unchanged from current requirements. Since the SJAE monitors will not be affected, increasing the MSLRM trip setpoints is not expected to cause an increase in releases to the atmosphere. Increasing the trip setpoint for the steam tunnel ventilation radiation monitors will still ensure that instantaneous releases stay within 10 CFR 20 limits.

Due to the short 7 second half life of N–16, carry over of N–16 in the main steam and main condenser will not have a significant effect on the gaseous effluents released from the 375 foot high vent stack. Therefore, the proposed change will not present a risk to the health and safety of the public.

Based on the information provided by the licensee, the staff proposes to determine that the license amendment request involves no significant hazardous consideration.

Local Public Document Room location: Waterford Public Library, 49 Rope Ferry Road, Waterford, Connecticut 06385.

Attorney for licensee: Gerald Garfield, Esquire, Day, Berry & Howard, Counselors at Law, City Place, Hartford, Connecticut 06103–3499.

NRC Project Director: Christopher I. Grimes.

Omaha Public Power District, Docket No. 50–285, Fort Calhoun Station, Unit No. 1, Washington County, Nebraska

Date of amendment request: January 8, 1987.

Description of amendment request: The amendment would revise the Technical Specifications to increase the refueling boron concentration from at least 1700 parts per million (ppm) to at least 1800 ppm. The licensee has stated that for Cycle 11, the existing 1700 ppm is not adequate but the proposed 1800 ppm refueling boron concentration will meet the following requirements: (1) A dilution time to critical not less than 30 minutes, and (2) a shutdown margin of not less than 5% assuming a freshly loaded core with all Control Element Assemblies (CEAs) withdrawn.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The licensee addressed the above three standards in the amendment application. In regard to the standards, the licensee provided the following analysis:

> This Technical Specification amendment will not increase the probability of occurrences or the consequences of an accident or malfunction of equipment important to safety previously evaluated in the Safety Analysis Report because the revised refueling boron concentration ensures the existence of both a 5% delta rho shutdown margin with all CEA's withdrawn from the core and a dilution time to critical greater than or equal to 30 minutes. Thus, the probability of occurrence and the consequences of any accident or malfunction will remain within the bounds of the current safety analysis.
>
> The probability of an accident or malfunction of a different type than any evaluated previously in the Safety Analysis Report will not be created because this application only revises the minimum refueling [Reactor Coolant System] RCS boron concentration.

> The margin of safety as defined in the basis for the Technical Specifications will not be reducted because the minimum refueling shutdown margin is maintained above the minimum required margin and dilution time to critical time is in excess of the minimum acceptance criterion for operator response.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. The increase in the required refueling boron concentration constitutes a more stringent restriction, e.g., at least 1800 ppm versus the existing 1700 ppm. Thus, example (ii) is applicable in this instance. Example (ii) states:

> (ii) A change that constitutes an additional limitation, restriction, or control not presently included in the technical specifications, e.g., a more stringent surveillance requirement.

Based upon the above discussion, the staff proposes to determine that the proposed change does not involve a significant hazards consideration.

Local Public Document Room location: W. Dale Clark Library, 215 South 15th Street, Omaha, Nebraska 68102.

Attorney for licensee: LeBoeuf, Lamb, Leiby, and MacRae, 1333 New Hampshire Avenue NW., Washington, DC 20036.

NRC Project Director: Ashok C. Thadani.

Portland General Electric Company, et al., Docket No. 50–344, Trojan Nuclear Plant, Columbia County, Oregon

Date of amendment request: September 13, 1985 as superseded August 7, 1986.

Description of amendment request: The proposed Technical Specification (TS) changes to Section 6.5.1.6, 6.8.2 and 6.8.3, and the addition of a new specification 6.5.3 define more clearly the review responsibilities of the Plant Review Board (PRB), Plant General Manager, other members of plant management and offsite departmental managers. The current TS requires PRB review and General Manager approval of virtually all plant-related procedures regardless of their safety significance and has resulted in an overload of the PRB and a dilution ofthe PRB's ability to perform their safety-related activities. The proposed TS change would alleviate the situation by allowing the administrative policies and procedures of Specification 6.8.1 to be established, implemented, and maintained in accordance with Specification 6.5.3 without requiring PRB review of the implementing procedures, and that changes to procedures indentified in Specification 6.8.1 may be made provided that, for procedures implementing activities performed by Company organizations other than the Facility Staff, the change is reviewed and approved in accordance with the Nuclear Quality Assurance Program. The proposed change to Section 6.8.1.h is an editorial change which clarifies the implementation of the TS requirements for radiological effluent monitoring. The August 7, 1986 submittal incorporates comments discussed with the NRC staff, and supersedes the September 13, 1985 amendment request.

Basis for proposed no significant hazards consideration determination: In accordance with the requirements of 10 CFR 50.92, the licensee has provided the following no significant hazards analysis:

1. Does the proposed license amendment involve a significant increase in the probability or consequences of an accident?

The proposed change deals with administrative controls required for the review of safety-related procedures and changes to safety-related procedures and the review of proposed changes or modifications to plant systems or equipment. The proposed change would not result in a decrease in the review process, but only change the method in which the review would occur. An appropriate level of technical review and management approval of changes to safety-related procedures and changes to plant systems or equipment would occur after this amendment as before. The new review would be performed by and within the department responsible for the procedure. As such, a change in the administrative controls which has no effect upon the operation of the plant would have no effect upon the probability or consequences of an accident previously evaluated.

One editorial change is made to 6.8.1.h to more accurately describe the implementation of radiological effluent monitoring. No change in requirements or implementation is associated with this editorial change so there would be no change in the probability or consequences of an accident.

2. Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Since this proposed change deals with administrative controls required for the review of safety-related procedures, and changes to safety-related procedures, a possibility of a new or different kind of accident from any previously evaluated would not be affected by this amendment request. Procedure review would occur equivalent to the level currently being performed with no new or different kind of accidents created. The proposed change would result in no plant modifications, and no change to the assumptions or conclusions in the Final Safety Analysis Report, nor lead to the creation of any new or different kinds of accidents.

The editorial change to 6.8.1.h would not create a new or different kind of accident previously evaluated since there is no change in requirements or implementation of requirements.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

The proposed change deals with administrative controls concerning the review of safety-related procedures and change to safety-related procedures, and would have no effect on the safety analysis or the margin of safety established by the Final Safety Analysis Report of by the Technical Specifications. There are no bases in the Technical Specifications for Section 6.0 Technical Specifications, so there would be no change to any bases. Thus, this change in administrative controls would not affect the margin of safety.

The editorial change to 6.8.1.h would not involve a reduction in a margin of safety since the only change that is being made is to the title of the category of various implementing procedures.

The staff has reviewed the licensee's no significant hazards analysis and agrees with the licensee's analysis. Thus the staff proposes to determine that the requested change does not involve a significant hazards consideration.

Local Public Document Room location: Multnomah County Library, 801 S.W. 10th Avenue, Portland, Oregon.

Attorney for licensee: J.W. Durham, Senior Vice President, Portland General Electric Company, 121 S.W. Salmon Street, Portland, Oregon 97204.

NRC Project Director: Steven A. Varga.

Power Authority of the State of New York, Docket No. 50–333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York

Date of amendment request: December 4, 1986.

Description of amendment request: The proposed amendment request would revise the Technical Specifications (TS) to delete the existing requirement that the High Pressure Core Injection (HPCI) and Reactor Core Isolation Cooling (RCIC) systems be operable prior to reactor startup from a cold condition. The revised TS would require that the HPCI and RCIC systems be operable whenever irradiated fuel is in the reactor vessel and both the reactor pressure and coolant temperature exceed 150 psig and 212F, respectively. The proposed revision would eliminate the uncoupling/coupling cycle for the HPCI and RCIC turbines and pumps, now required for turbine overspeed testing performed after entering the startup mode. The current TS permit the HPCI and RCIC systems to be inoperable below 150 psig provided these systems were operable prior to startup.

Basis for proposed no significant hazards consideration determination: In accordance with the Commission's Regulations in 10 CFR 50.92, the Commission has made a determination that the proposed amendment involves no significant hazards considerations. To make this determination, the staff must establish that operation in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

For accidents previously evaluated, in no case does the analysis assume operability of the HPCI and RCIC systems below a reactor pressure of 150 psig or a coolant temperature of 212F. Below 150 psig, the low pressure emergency core cooling systems (the LPCI and core spray systems) are designed for and available to provide adequate core cooling. Therefore, elimination of the requirement that the HPCI and RCIC systems be operable prior to startup does not impact any previous accident analyses. Thus, the first criterion above is satisfied. Since the HPCI and RCIC systems are not required or intended for any safety related function when reactor pressure is below 150 psig, eliminating the requirement for operability prior to startup will not create the possibility of a new or different kind of accident. Thus, the second criterion above is met. Finally, since the existing requirement that the HPCI and RCIC systems be operable at reactor pressures greater than 150 psig is unaffected by the proposed revision, there is no reduction in any margin of safety. Therefore, the third criterion above is satisfied.

Since the application for amendment involves proposed changes that are encompassed by the criteria for which no significant hazards consideration exists, the staff has made a proposed determination that the application involves no significant hazards consideration.

Local Public Document Room location: Penfield Library, State University College of Oswego, Oswego, New York.

Attorney for licensee: Mr. Charles M. Pratt, Assistant General Counsel, Power Authority of the State of New York, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Daniel R. Muller.

Power Authority of the State of New York, Docket No. 50-333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York

Date of amendment request: December 19, 1986.

Description of amendment request: The proposed amendment would revise Table 3.7-1 of the Technical Specifications (TS) to reflect certain plant modifications that will be completed during the Reload 7/Cycle 8 refueling outage. These modifications include installation of automatic outboard containment isolation valves with diverse actuation signals in the Reactor Water Cleanup System, Traveling Incore Probe System, and Recirculation Pump Mini-Purge System. These valves are being installed to implement the requirements of NUREG-0737 Item II.E.4.2 (Containment Isolation Dependability). Additionally, two new containment isolation valves will be added to a newly installed redundant nitrogen supply line to the ADS system accumulators, and a remote manual solenoid-operated valve will replace a hand-operated valve on the existing nitrogen supply line. These modifications are intended to implement the requirements of NUREG-0737 Item II.K.3.28 (Qualification of ADS Accumulators).

Basis for proposed no significant hazards consideration determination: In accordance with the Commission's Regulations in 10 CFR 50.92, the Commission has made a determination that the proposed amendment involves no significant hazards considerations. To make this determination the staff must establish that operation in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

The modifications to the Reactor Water Cleanup, Traveling Incore Probe, and Recirculation Pump Mini-Purge Systems involve the replacement of check valves (on the outboard side) with power operated valves having diverse isolation signals. These three systems are considered non-essential and automatically isolate in the event of an accident. The planned modifications are intended to provide greater assurance that these systems will, in fact, isolate and therefore do not affect previous accident analyses. Since failure of any one of these valves will not prevent isolation from occurring, and no other modifications are being made to these systems, the possibility of creating a new or different kind of accident does not result. Additionally, the modifications should result in an improved rather than a reduced margin of safety since containment isolation dependability will now be enhanced. Therefore, the three criteria listed above are satisfied for these modifications.

The modifications related to the ADS system, described earlier, are intended to ensure long-term operability of this essential system following an accident by providing a second (redundant) nitrogen supply line and two associated isolation valves. In addition, a hand-operated isolation valve on the existing nitrogen supply line will be replaced by a remote manual valve. These modifications cannot adversely affect the ability of the ADS system to depressurize the reactor and therefore have no affect on previous accident analyses where operability of the ADS system has been assumed. Furthermore, since failure of any one of these valves will not present isolation from occurring, and no other modifications are being made to the system, the possibility of creating a new or different kind of accident does not result. Because the modifications ensure long-term operability of the ADS system following an accident, and also enhance containment isolation dependability, the margin of safety should be improved rather than reduced. Therefore, the three criteria for determining a no significant hazards consideration have been satisfied for the ADS-related modifications.

Since the application for amendment involves proposed changes that are encompassed by the criteria for which no significant hazards consideration exists, the staff has made a proposed determination that the application involves no significant hazards consideration.

Local Public Document Room location: Penfield Library, State University College of Oswego, Oswego, New York.

Attorney for licensee: Mr. Charles M. Pratt, Assistant General Counsel, Power Authority of the State of New York, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Daniel R. Muller.

Power Authority of the State of New York, Docket No. 50-333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York

Date of amendment request: December 23, 1986.

Description of amendment request: The proposed amendment would revise certain Technical Specifications (TS) necessary to support plant operation after the Reload 7/Cycle 8 refueling outage. During this outage approximately ⅓ of the fuel now in the core (188 fuel bundles) will be replaced with new fuel. Additionally, as part of a program to qualify Westinghouse Nuclear Energy Systems as a vendor of nuclear fuel for FitzPatrick, four Westinghouse demonstration lead test assemblies of the QUAD+ design will be included as part of the new fuel load.

The proposed TS revisions involve deletion of specifications regarding core protection safety limits associated with the discharged fuel and with Cycle 7 specific analyses. These specifications are replaced with ones appropriate for the new fuel and based on Cycle 8 specific analyses. Additional revisions of an editorial nature have been proposed to reflect the above changes.

Basis for proposed no significant hazards consideration determination: In accordance with the Commission's Regulations in 10 CFR 50.92, the Commission has made a determination that the proposed amendment involves no significant hazards considerations. To make this determination the staff must establish that operation in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

Approved methodologies and codes have been used to perform all analyses concerning the General Electric (GE) fuel to be loaded. The GE fuel design has been previously reviewed and approved for use at FitzPatrick. The Westinghouse fuel to be introduced has been designed and will be operated within the constraints detailed in a previous NRC safety evaluation report approving this type of demonstration program generically for BWRs. The four QUAD+ assemblies were designed to be compatible with currently use bundles and possess, as closely as possible, the operational characteristics of a previously used and accepted GE bundle. Constraints are applied to the use of the QUAD+ bundles to assure that none of them will become a lead assembly during operation, not a limiting bundle under transient conditions. Therefore, the probability or consequences of the accidents previously evaluated and described in the FSAR will not be increased. Additionally, the fuel bundles to be loaded in the core are not sufficiently different from previously used bundles to create the possibility of a new or different type of accident.

The analyses performed in support of this reload assure maintenance of existing margins of safety. These analyses have resulted in core wide (MCPR) and bundle specific (MLHGR and MAPLHGR) limits for GE fuel which, when applied to the reloaded core, assure operation within previously approved criteria. For the four Westinghouse QUAD+ assemblies, core positioning constraints and inherent design features will assure that use of appropriate, existing, bundle-specific limits and core-wide MCPR limits is conservative. Therefore, there will be no significant reduction in the margin of safety.

Since the application for amendment involves proposed changes that are encompassed by the criteria for which no significant hazards consideration exists, the staff has made a proposed determination that the application involves no significant hazards consideration.

Local Public Document Room location: Penfield Library, State University College of Oswego, Oswego, New York.

Attorney for licensee: Mr. Charles M. Pratt, Assistant General Counsel, Power Authority of the State of New York, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Daniel R. Muller.

Power Authority of the State of New York, Docket No. 50-333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York

Date of amendment request: December 23, 1986.

Description of amendment request: The proposed amendment would revise the Technical Specification (TS) to support completion of installation of an Analog Transmitter Trip System (ATTS) during the Reload 7/Cycle 8 refueling outage. The physical modifications will consist of replacing four mechanical sensor switches for reactor pressure with four ATTS instrument channels. The proposed TS changes would revise surveillance requirements to reduce functional test and calibration frequencies for the new and more reliable ATTS equipment. In addition, several related revisions of a clarifying nature have been proposed.

The ATTS is an all solid-state electronic trip system designed to provide stable and accurate monitoring of certain Reactor Protection System (RPS) and Emergency Core Cooling System (ECCS) parameters. The change to an analog system improves overall sensor accuracy and reliability; reduces the time the RPS logic will be in a half scram conditon, thereby reducing the potential for inadvertent plant scrams; reduces the functional test calibration frequency and simplifies calibration procedures; reduces the number of Licensee Event Reports filed for setpoint drift; and reduces radiation exposure to plant personnel. The replacement of mechanical sensor switches with an analog trip transmitter system does not alter the requirements for instrument initiation, function, and operability that existed prior to the modifications.

The proposed TS changes would relax surveillance requirements without reducing system availability, accuracy, and reliability below levels which existed prior to ATTS installation. This is attributed to the characteristically lower failure rates and higher accuracy associated with the electronic ATTS components, as compared to mechanical sensors.

Basis for proposed no significant hazards consideration determination: In accordance with the Commission's Regulations in 10 CFR 50.92 the Commission has made a determination that the proposed amendment involves no significant hazards considerations. To make this determination the staff must establish that operation in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

The proposed TS changes submitted in support of ATTS installation would not involve a significant increase in the probability or consequences of an accident previously evaluated because, as noted above, system reliability and availability would not be reduced below those levels existing prior to ATTS installation. Furthermore, the ATTS installation does not alter the requirements for instrument initiation, function, and operability which currently apply. For similar reasons, the proposed TS changes would not create the possiblity of a new or different kind of accident from any accident previously evaluated. The proposed TS changes also would not involve a significant reduction in the margin of safety since the reduced surveillance frequencies are consistent with the improved reliability and accuracy of the new ATTS components and, again, instrument initiation, function, and operability requirements are not changed as a result of ATTS installation.

Since the application for amendment involves proposed changes that are encompassed by the criteria for which no significant hazards consideration exists, the staff has made a proposed determination that the application involves no significant hazards consideration.

Local Public Document Room location: Penfield Library, State University College of Oswego, Oswego, New York.

Attorney for licensee: Mr. Charles M. Pratt, Assistant General Counsel, Power Authority of the State of New York, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Daniel R. Muller.

Power Authority of the State of New York, Docket No. 50–333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York

Date of amendment request: December 31, 1986.

Description of amendment request: The proposed amendment would revise the Technical Specifications (TS) to support the installation and operation of plant modifications associated with a second level of undervoltage protection for the plant's two 4kV emergency electrical buses. These modifications will be completed during the Reload 7/Cycle 8 refueling outage. This new trip system will assure that equipment and circuits are not damaged or rendered incapable of performing their intended function due to a degraded voltage condition on either of the emergency buses. The function of the new degraded voltage protection is very similar to the existing loss-of-voltage protection.

The Emergency Bus Undervoltage Trip System transfers the 4kV emergency electrical buses to the Emergency Diesel Generators in the event an undervoltage condition is detected on both the normal and reserve AC power sources. The system has two levels of protection: (1) Degraded voltage protection, and (2) loss-of-voltage protection. Degraded voltage protection prevents a sustained low voltage condition from damaging equipment. The loss-of-voltage protection prevents a more severe voltage drop from damaging equipment. Time delays are included to prevent inadvertent transfers due to spurious voltage transients. Both the duration and severity of the voltage drop are sensed by the system.

The proposed TS revisions include the addition of limiting conditions of operation, surveillance requirements, and bases to the TS for the new degraded voltage protection.

Basis for proposed no significant hazards consideration determination: The Commission has provided guidance for the application of the standards in 10 CFR 50.92 by providing certain examples (51 FR 7751) of actions likely to involve no significant hazards considerations. One of the examples relates to: "(ii) a change that constitutes an additional limitation, restriction, or control not presently included in the technical specifications." The installation of a second level of undervoltage protection and the associated proposed TS represent an additional control or line of defense and therefore are clearly encompassed by this example.

Therefore, since the application for amendment involves proposed changes similar to examples for which no significant hazards consideration exist, the staff has made a proposed determination that the application involves no significant hazards consideration.

Local Public Document Room location: Penfield Library, State University College of Oswego, Oswego, New York.

Attorney for licensee: Mr. Charles M. Pratt, Assistant General Counsel, Power Authority of the State of New York, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Daniel R. Muller.

Public Service Company of Colorado, Docket No. 50–267, Fort St. Vrain Nuclear Generating Station, Platteville, Colorado

Date of amendment request: December 5, 1986.

Description of amendment request: The proposed amendment updates the Technical Specifications description of the Nuclear Operations organization for Public Service Company of Colorado. These proposed changes do not directly affect plant operation. These proposed changes involve the Nuclear Facility Safety Committee and eliminate references to the Security Committee. These proposals supplement the licensee's submittal dated July 22, 1986, which was noticed on October 8, 1986 at 51 FR 36103.

Basis for proposed no significant hazards consideration determination: Since the proposed changes to Section 7.1 and 7.4 of the Fort St. Vrain Technical Specifications are administrative in nature, no significant safety hazards considerations are involved. Operation of Fort St. Vrain in accordance with the proposed changes will not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. These changes can be considered to come under example (i) of the examples provided by the Commission (51 FR 7751) of amendments that are considered not likely to involve significant hazards considerations.

Local Public Document Room location: Greeley Public Library, City Complex Building, Greeley, Colorado.

Attorney for licensee: Bryant O'Donnell, Public Service Company of Colorado, P.O. Box 840, Denver, Colorado 80201–0840.

NRC Project Director: Herbert N. Berkow.

Public Service Electric and Gas Company, Docket No. 50–354, Hope Creek Generating Station, Salem County, New Jersey

Dates of amendment requests: May 30, 1986 and December 24, 1986.

Description of amendment request: The licensee in its May 30, 1986 letter, and supplemented by its December 24, 1986 letter, requested changes to the Hope Creek Technical Specifications which would support long-term operation with one recirculation loop out of service (single loop operation (SLO)). These changes are incorporated in the proposed SLO Technical Specification, 3/4.4.1.1. Other affected Technical Specifications include 2.1.2, 3/4.2.1, 3/4.2.2, 3/4.4.1.2 and 3/4.4.1.3. The licensee has revised the Bases sections of the Technical Specifications to reflect the proposed Technical Specification revisions.

To support the proposed license amendment, the licensee provided the HOPE CREEK SINGLE LOOP OPERATION ANALYSIS, dated February 1986, prepared by the General Electric Company. This information accompanied the license amendment request dated May 30, 1986.

The proposed amendment would change the Technical Specifications in the following manner: (1) Limits the speed of the operating recirculation pump during SLO; (2) increases the minimum critical power ratio (MCPR); (3) revises the Average Power Range Monitor (APRM) scram trip setpoint and allowable values, and the APRM Rod Block trip setpoints and allowable values; (4) revises the Maximum Average Planar Linear Heat Generation Rate (MAPLHGR) limits; (5) requires Thermal Power be reduced to less than or equal to 70 percent Rated Thermal Power; and (6) requires the recirculation flow control system be in Local Manual mode. Additionally, the licensee has proposed revised SURVEILLANCE REQUIREMENTS for long term SLO operation.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from an accident previously evaulated; or (3) involve a significant reduction in a margin of safety.

The licensee responded to these standards as follows:

1. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated. Specifically:

A. A review of the limiting Anticipated Operational Occurrences (AOOs) was performed by GE specifically for Hope Creek Generating Station (HCGS) to demonstrate adequate margin to the MCPR Safety Limit. A review of the values used in the statistical analysis of the determination of the fuel cladding safety limit was performed. Increased uncertainties for the total core flow and TIP readings resulted in a 0.01 increase in the MCPR safety limit. Although the calculated MCPR increased by 0.01, the analysis of the AOOs demonstrated there is enough margin not to increase the MCPR limit.

B. A review of the LOCA event was performed by GE. The analysis of the limiting recirculating pump discharge pipe break, while in SLO, results in a longer (+4 sec) peak node uncovered time. To maintain the same peak clad temperature as in two loop operation, the analysis shows the Maximum Average Planar Linear Generation Rate (MAPLHGR) needs to be reduced by a factor of 0.86. The containment response for a design basis accident (DBA) recirculation line break in SLO is bounded by the rated power two-loop operation analysis presented in the FSAR.

C. Thermal-hydraulic stability was evaluated for its adequacy with respect to General Design Criterion 12 (10 CFR 50, Appendix A). It is shown that SLO satisfies this stability criterion. In addition, HCGS Technical Specifications have implemented surveillance requirements for detecting and suppressing power oscillations.

D. The fuel thermal and mechanical duty for transients occurring during SLO was determined to be bounded by the fuel design bases. Based on vessel internal vibration, the operating loop pump is limited to 90 percent of rated speed. GE also performed a vibration analysis and a review of test data taken during SLO on jet pumps with and without restrainer set screw gaps. The results demonstrate that with the postulated jet pump gaps, the recirculation pumps can operate up to 80 percent of rated speed in SLO.

2. The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated. Although this change allows extended operation in a configuration that was previously allowed only for a limited period, analysis has shown (as described in 1. above) that operation with one recirculation loop out of service is within existing analyses based on the proposed revised Technical Specfication requirements.

3. The proposed changes do not involve a significant reduction in a margin of safety. The basis for this statement is outlined in 1. above for each element of the safety analyses which is affected.

Based on the above discussion, the NRC staff agrees with the licensee's findings of no significant hazards consideration associated with the proposed amendment. Accordingly, the staff proposes to determine that the requested amendment does not involve a significant hazards consideration.

Local Public Document Room location: Pennsville Public Library, 190 South Broadway, Pennsville, New Jersey 08070.

Attorney for the licensee: Troy B. Conner, Jr., Esquire, Conner and Wetterhahn, and 1747 Pennsylvania Avenue NW., Washington, DC 20006.

NRC Project Director: E. Adensam.

Sacramento Municipal Utility Distrct, Docket No. 50–312, Rancho Seco Nuclear Generating Station, Sacramento County, California

Date of amendment request: September 22, 1986.

Description of amendment request: The proposed Technical Specification amendment request would change one of the auxiliary feedwater start signals. At the present time, the Auxiliary Feedwater System starts whenever the reactor coolant pump (RCP) motor monitors detect underpower or phase imbalance. The proposed amendment would change this start signal to sensors which monitor undercurrent to the RCPs. The change was proposed by the licensee because the existing RCP monitors have been a source of continuous problems. An engineering study performed by Babcock and Wilcox (B&W) concluded that phase balance and underpower monitoring was unique to Rancho Seco; all other B&W plants use the undercurrent monitors.

Basis for proposed no significant hazards consideration determination: The licensee has reviewed the proposed change against each of the criteria listed under 10 CFR 50.92. The Commission's staff concurs with the licensee's conclusion that, based on the above review, the proposed amendment will not:

(1) Involve a significant increase in the probability or consequences of an accident previously evaluated. Engineering studies have concluded that the use of undercurrent relays will adequately perform the same function of monitoring loss of power to the RCP motors as phase imbalance/underpower relays. Accordingly, the probability or consequences of an accident previously evaluated would not increase by the proposed change.

(2) Create the possibility of a new or different kind of accident from any accident previously evaluated. The use of undercurrent relays has been determined to provide an equivalent function to those of phase imbalance/underpower relays. Therefore, any malfunction of the former, although expected to be significantly less frequent than the latter, is considered to have the same effect on plant operation. Thus, no new or different kind of accident from any accident previously evaluated is foreseen.

(3) Involve a significant reduction in a margin of safety. Since engineering studies have determined that the proposed undercurrent relays will provide an equivalent function to the

existing phase imbalance/underpower relays, it is concluded that no margin of safety will be reduced.

Accordingly, the Commission proposes to determine that the proposed changes to the Technical Specifications involve no significant hazards considerations.

Local Public Document Room location: Sacramento City-County Library, 828 I Street, Sacramento, California 95814.

Attorney for licensee: David S. Kaplan, Sacramento Municipal Utility District, 6201 S Street, P.O. Box 15830, Sacramento, California 95813.

NRC Project Director: John F. Stolz.

Southern California Edison Company, et al., Docket No. 50-206, San Onofre Generating Station, Unit No. 1, San Diego County, California

Date of amendment request: April 7, 1986.

Description of amendment request: The proposed changes to the Technical Specifications would revise the requirements on primary coolant iodine spiking by deleting the requirement for plant shutdown if the activity limits are exceeded for 800 hours in a twelve month period and by revising the reporting requirements. The proposed changes are in response to NRC Generic Letter 85-19, "Reporting Requirements on Primary Coolant Iodine Spikes" dated September 25, 1985.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards (10 CFR 50.92(c) for determining whether a significant hazards consideration exists. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The licensee states the following with respect to these three factors:

> The reduced reporting requirements for primary coolant activity will not impact safe operation or the consequences of an accident previously evaluated.
>
> Technical Specification 3.1.1 requires the plant to shut down if coolant iodine activity limits are exceeded for 800 hours in a 12-month period. The basis for this requirement is to reduce the probability of high iodine levels being present in RCS coincident with a postulated steam generator tube rupture, thereby reducing the potential offsite dose consequences. Elimination of this requirement is acceptable because regular primary coolant activity monitoring and the improvement in the quality of fuel has reduced the potential for operation with high coolant iodine activity to the point where the 800 hour limit would not likely be approached. In addition, 10 CFR 50.72 requires immediate NRC notification of fuel cladding failures that exceed expected values or that are caused by unexpected factors. Therefore, this Technical Specification limit is no longer considered necessary on the basis that proper fuel management at San Onofre Unit 1 and existing reporting requirements should preclude ever approaching the limit.
>
> The proposed change does not reduce surveillance of primary coolant iodine activity or preclude responsible actions to maintain low primary coolant iodine activity. In addition, appropriate actions would be initiated long before accumulating 800 hours above the iodine activity limit. Therefore, the primary coolant activity levels will not approach the accumulated time limit and result in a new or different kind of accident that has not been previously evaluated.
>
> The margin of safety for Technical Specification 3.1.1 is established by the limits of primary coolant activity in 3.1.1 and the associated surveillance 4.1.1. The proposed change does not change the limits on primary coolant activity levels during operation. Also, through proper fuel management and regular primary coolant activity monitoring, the accumulative operating time with high iodine activity should not approach the 800 hours limit. Therefore, operation of the facility in accordance with the proposed change will not involve a significant reduction in the margin of safety.

The staff has reviewed the licensee's determination and agrees with their analysis. Therefore, the staff proposes to determine that the proposed amendment does not involve a significant hazards consideration.

Local Public Document Room location: Main Library, University of California, P.O. Box 19559, Irvine, California 92713.

Attorney for licensee: Charles R. Kocher, Assistant General Counsel, James Beoletto, Esquire, Southern Edison Company, P.O. Box 800, Rosemead, California 91770.

NRC Project Director: George E. Lear.

South Carolina Electric and Gas Company, South Carolina Public Service Authority, Docket No. 50-395, Virgil C. Summer Nuclear Station, Unit 1, Fairfield County, South Carolina

Date of amendment request: January 16, 1986, as supplemented March 18, May 18, July 22, 1986, and as clarified December 4, 1986.

Description of amendment request: The amendment would revise Technical Specification 3/4.4.5, "Steam Generators" and its bases to allow for the repair of steam generator tubes. This request is being made to allow for an alternative to tube plugging in the event degradation occurs in the steam generator tubes.

Basis for proposed no significant hazards consideration determination: The initial application dated January 16, 1986, was originally noticed on March 26, 1986 (51 FR 10470).

Currently, Technical Specifications do not recognize repair of steam generator tubes to restore their integrity. However, steam generator technology is expanding to include repair methods such as sleeving, which restores the tube to "like new" service conditions. The proposed Technical Specification change would permit the licensee to utilize a proven repair method (leak tight sleeves) to restore defective steam generator tubes.

The Commission has provided certain examples (51 FR 7751) of actions likely to involve no significant hazards considerations. The request involved in this case does not match any of those examples. However, the staff has reviewed the licensee's request for the above amendment and determined that should this request be implemented, it will not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated because the tubes will be restored to "like new" condition by a proven repair method, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated because the plant design is not being changed. Also, it will not (3) involve a significant reduction in a margin of safety because Technical Specification surveillance requirements and actions regarding degraded tubes are not being changed. Accordingly, the Commission proposed to determine that this change does not involve significant hazards considerations.

Local Public Document Room location: Fairfield County Library, Garden and Washington Streets, Winnsboro, South Carolina 29180.

Attorney for licensee: Randolph R. Mahan, South Carolina Electric and Gas Company, P.O. Box 764, Columbia, South Carolina 29218.

NRC Project Director: Lester S. Rubenstein.

Tennessee Valley Authority, Docket Nos. 50-259, 50-260 and 50-296, Browns Ferry Nuclear Plant, Units 1, 2 and 3, Limestone County, Alabama

Date of amendment request: December 15, 1986.

Description of amendment request: The proposed changes in the Technical Specifications (TS) would provide reactor coolant leakage monitoring requirements. Specifically, the proposed amendment would change the TS to require drywell leakage measurement and recording every four hours instead of the current eight hour interval, and reduce the allowable out of service time from 72 hours to 24 hours for the sump leakage monitoring system. The proposed amendment would also delete a surveillance requirement in a limiting condition of operation (LCO 3.6.C.1.b) which is redundant to requirements contained in SR 4.6.C.1.

Basis for proposed no significant hazards consideration determination: The Commission has provided guidance concerning the application of standards for determining whether a significant hazards consideration exists by providing certain examples (51 FR 7744). The NRC staff has made a preliminary review of the licensee's submittal. A discussion of these examples as they relate to the proposed amendment follows:

One of the examples (ii) of actions involving no significant hazards consideration relates to a change that constitutes an additional limitation, restriction, or control not presently included in the technical specifications, e.g., a more stringent surveillance leakage monitoring requirements is similar to this example. The proposed amendment is in response to the guidelines in NRC Generic Letter 84-11 dated April 19, 1984 ("Stainless Steel Piping Reinspection"), which specified more restrictive coolant leakage monitoring limits.

Another example (i) of actions involving no significant hazards considerations is an amendment involving a purely administrative change to the Technical Specifications, such as a change to achieve consistency throughout the Technical Specifications, correction of an error, or a change in nomenclature. The proposed deletion of the last sentence in LCO 3.6.C.1.b is similar to this example because the last sentence incorrectly contains a surveillance requirement which is redundant to requirements specified in SR 4.6.C.1. This change corrects this error and establishes consistency throughout the TS.

On the basis of the above, the Commission has made a proposed determination that the amendment application does not involve a significant hazards consideration.

Local Public Document Room location: Athens Public Library, South and Forrest, Athens, Alabama 35611.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 Commerce Avenue, E 11B 33C, Knoxville, Tennessee 37902.

NRC Project Director: Daniel R. Muller.

Tennessee Valley Authority, Dockets Nos. 50-259, 50-260 and 50-296, Browns Ferry Nuclear Plant, Units 1, 2 and 3, Limestone County, Alabama

Date of amendment request: December 23, 1986.

Description of amendment request: The proposed amendment would revise the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3, technical specifications to clarify the surveillance requirements for the Standby Liquid Control System (SLC). The proposed amendment would specify the use of demineralized water for testing the minimum pump flow rate and require visual verification of flow when pumping boron solution through the recirculation path.

Specifically, Section 4.4.A.2.b of Units 1, 2, and 3, technical specifications would be changed to add two phrases to the current requirement. The first phrase being added would require the licensee to visually verify flow when pumping boron solution through the recirculation path. The second phrase is added to specify pumping demineralized water through the SLC test tank instead of borated water through the storage tank to verify flow rate. The requirement to visually verify flow can be accomplished by observing turbulence through a sample opening in the top of the SLC solution tank. The change to allow pumping demineralized water from the SLC test tank to verify flow rate will be satisfied by observing the rate of level change in the test tank to calculate the minimum pump flow rate.

The current test method pumps demineralized water from the SLC test tank to calculate the flow rate. However, the technical specifications surveillance requirement should be clarified since it presently implies that flow rate is measured during boron solution recirculation back to the SLC solution tank.

The purpose of the SLC system is to provide the capability of bringing the reactor from full power to a cold, xenon-free shutdown condition, assuming that none of the withdrawn control rods can be inserted. To meet this objective, the SLC system is designed to inject a quantity of boron that produces a concentration greater than 600 ppm of boron in the reactor core in less than 125 minutes. The purpose of the SLC pump flow rate test is to monitor pump performance. This objective can be met by pumping either borated water or demineralized water and by using either the SLC storage tank or the SLC test tank as the source of water. The SLC system at BFN is designed so that this test is conducted using the test tank and demineralized water. Such testing is consistent with the requirements of Standard Technical Specifications and American Society of Mechanical Engineers Section XI. Finally, neither the frequency of the test nor the required flow rate of 39 gpm against a system head of 1,275 psig is changed.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a signficant reduction in a margin of safety.

A discussion of these standards as they relate to this amendment follows:

1. The probability or consequences of an accident that has been previously evaluated will not be significantly increased since the proposed amendment will not result in the alteration of any plant equipment, change the surveillance frequency, or significantly reduce the effectiveness of the surveillance test. Furthermore, the use of demineralized water is allowed by the Standard Technical Specifications (STS) for this type of surveillance test.

2. The possibility of a new or different kind of accident is not created since this change will not eliminate or modify any protective functions or permit any new operational conditions.

3. The proposed change will not involve a significant reduction in margin of safety since it is a clarification of the current surveillance requirement and is consistent with STS. Furthermore, it will not result in any physical modifications or any significant changes to existing procedures.

The staff has reviewed the licensee's no significant hazards determination. Since the application for amendment involves a proposed change that is encompassed by the criteria for which no significant hazards consideration exists, the staff proposes to determine that the proposed amendment does not involve a significant hazards consideration.

Local Public Document Room location: Athens Public Library, South and Forrest, Athens, Alabama 35611.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 Commerce Avenue, E 11B 33C, Knoxville, Tennessee 37902.

NRC Project Director: Daniel R. Muller.

Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Calloway County, Missouri

Date of amendment request: December 19, 1986.

Description of amendment request: This amendment request replaces Technical Specification Figure 3.9-1 with corrected curves for Westinghouse optimized fuel (OFA) or standard fuel. Figure 3.9-1 also incorporates a curve for Westinghouse Vantage Fuel (V5) which overlays the OFA curve with an extension to 4.25 w/o U-235. Technical Specification sections 5.3.1 and 5.6.1.1 are revised to reflect a maximum enrichment of 4.25 w/o U-235 for fuel storage.

Basis for proposed no significant hazards consideration determination: In accordance with the requirements of 10 CFR 50.92, the licensee has submitted the following no significant hazards determination.

This amendment request replaces Technical Specification Figure 3.9-1 with corrected curves for the Westinghouse Optimized Fuel Assemblies (OFA) and Standard Fuel Assemblies (SFA); the V5 curve would overlay the OFA curve with an extension from 4.2 w/o to 4.25 w/o U-235; and revises Technical Specification sections 5.3.1 and 5.6.1.1 to reflect a maximum enrichment limit of 4.25 w/o U-235 for storage of fuel at Calloway.

The Safety Evaluation supporting this amendment request provides the bases for concluding that the proposed changes are consistent with the licensing bases of the spent fuel pool and verify that the proposed changes do not alter safe operation of spent fuel pool systems nor violate pool criticality safety limits. Physically the Callaway fuel designs are similar. The designs employ 17 × 17 fuel rod arrays, and the fuel rods are zircaloy clad. The fuel assemblies dimensional envelope, skeletal structure, and interal grid locations are essentially the same, except that the V5 fuel contains additional intermediate flow mixing grids which are non-structural zircaloy grids installed between the three uppermost zircaloy grids. Even with the addition of the intermediate flow mixing grids, the difference in total assembly weight between the OFA and V5 fuel types is negligible. In addition, OFA and V5 fuel designs, when compared to SFA, fuel utilize a smaller rod diameter with chamfered pellets and employ zircaloy rather than inconel mixing vane spacer grids. The V5 fuel is conservatively represented by the OFA fuel neutronic design which does not contain the intermediate flow mixing grids (also neutron absorbing members). With respect to all other components in the active fuel region, the OFA and V5 fuel types are neutronically the same. The OFA and V5 fuel types contain the same fuel weight of UO_2; however, V5 fuel employs initial enrichments slightly greater than 4.2 w/o but bounded by 4.25 w/o.

In essence, the Technical Specification changes incorporate corrections to errors in the calculational analyses and the development of the limiting curves in Figure 3.9-1. The corrected changes are clearly within all acceptable criteria with respect to system operation and regulatory limits set for spent fuel pool storage. In addition, the increase to a maximum enrichment limit from 4.2 w/o to 4.25 w/o is required for a nuclear reactor core reloading where the reload fuel assemblies are not significantly different from those previously found acceptable to the NRC. WCAP 10444 sets forth the Vantage 5 fuel design, and this WCAP has been reviewed and approved by the NRC.

Corrections to Technical Specification Figure 3.9-1

In the course of performing supplemental calculations to verify criticality limits for V5 fuel storage, discrepancies were identified between the current work and that provided in 1985. The discrepancies were reviewed and the source of errors were identified. The errors rendered incorrect both the SFA and OFA curves currently presented in Figure 3.9-1 of the Calloway Technical Specifications. The detailed discussion of the errors, their correction, and their lack of impact on our compliance to regulatory requirements were submitted in ULNRC-1416 dated December 10, 1986. Calculations were redone to correct the OFA and SFA curves presented in Technical Specification Figure 3.9-1. The corrections to Figure 3.9-1 for SFA and OFA fuel types do not represent a significant hazard in that:

1. The corrections do not involve a significant increase in the probability or consequence of an accident or other adverse condition over previous evaluations. The results of the previous evaluations were presented in ULNRC-1192 dated October 15, 1985. The corrections applied to the detailed modeling of fission product absorption in depleted OFA fuel. The accident scenarios were conservatively based upon the assumption of fresh fuel in the analyses. Use of the higher enriched OFA fuel conservatively bounded accident considerations using fresh SFA fuel.

2. The corrections do not create the possibility of a new or different kind of accident or condition over previous evaluations. The corrections associated with Figure 3.9-1 do not involve modeling techniques or software problems. The corrections merely address the implementation of incorrect values in the calculational analyses which support the resulting curves. Using correct values does not introduce a new or different kind of accident or condition.

3. The corrections do not involve a significant reduction in a margin of safety. The considerable amounts of margin in the analyses precluded and violations of regulatory limits whether using the incorrect or correct curves. If credit were given for 2000 ppm borated water in the spent fuel pool, loading Region 2 to the maximum allowed density with fresh OFA Fuel would yield a multiplication factor value of 0.89. This value is well below the regulatory limit and does not result in a significant reduction in margin.

Increase in Maximum Enrichment to 4.25 w/o Fuel Storage in the Spent Fuel Pool

Extensive analyses were performed to support storage of OFA and SFA maximum enrichments of 4.2 w/o. The results of these analyses were submitted in amendment request ULNRC-1192 dated October 15, 1985. Since the V5 fuel is neutronically similar to the OFA fuel, supplementary criticality analyses were performed to extend the comprehensive analyses to the slightly higher enrichment of 4.25 w/o U-235. Extending the OFA/V5 curve to 4.25 w/o and increasing the maximum enrichment limit to 4.25 w/o for allowed storage in the spent fuel pool does not represent a significant hazard in that:

1. An increase to a maximum enrichment of 4.25 w/o does not involve a significant increase in the probability or consequence of an accident or other adverse condition over previous evaluations. Because of the conservative techniques and assumptions used to evaluate the maximum possible neutron multiplication factor, there is more than reasonable assurance that no significant hazards based on criticality safety is involved in storing fuel assemblies up to and including 4.25 w/o in the spent fuel storage racks under both normal and postulated accident conditions. For example ignoring the 2000 ppm soluble boron in the spent fuel pool calculations results in conservative values of the multiplication factor. Storing fresh fuel in the Region 1 configuration at an enrichment of 4.25 w/o would result in a maximum multiplication factor of 0.9436 including all uncertainties. Adherence to the curves generated for Figure 3.9-1 would assure fuel storage in Region 2 to be at or below the limit of 0.9150 multiplication factor (includes uncertainties and additional margins). In the extreme example, and taking credit for 2000 ppm soluble boron results in a maximum multiplication factor of approximately 0.8923. In all cases the values of multiplication factor are below the required limit of 0.95.

2. An increase to a maximum enrichment level of 4.25 w/o does not create the possibility of a new or different kind of accident or condition over previous evaluations. An increase to the enrichment level of 4.25 w/o from 4.2 w/o involved extending the previous evaluations to cover the slight increase in enrichment. The same calculational techniques and computer codes were used.

3. An increase in the maximum enrichment level to 4.25 w/o does not involve a significant reduction in a margin of safety. As discussed above, in all cases the multiplication factors for worst case assumptions fall considerably below the regulatory limit and do not represent significant reductions in margin

Based on the previous discussions, the licensee concluded that the proposed amendment request does not involve a significant increase in the probability or consequences of an accident previously evaluated; nor create the possibility of a new or different kind of accident from any accident previously evaluated; nor involve a reduction in the required margin of safety. The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. The staff has, therefore, made a proposed determination that the licensee's request does not involve a significant hazards consideration.

Local Public Document Room location: Fulton City Library, 709 Market Street, Fulton, Missouri 65251 and the Olin Library of Washington University, Skinker and Lindell Boulevards, St. Louis, Missouri 63130.

Attorney for licensee: Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 M Street NW., Washington, DC 20036.

NRC Project Director: B.J. Youngblood.

Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri

Date of amendment request: December 30, 1986.

Description of amendment request: The proposed amendment requests that Item 1.a and Action Statement 26 of Technical Specification Table 3.3-6 be deleted. Containment atmosphere radiation monitors (FT-RE-31 and 32) currently serve RCS leakage detection and redundant containment, purge isolation functions. This amendment request would delete the trip functions of the containment atmosphere radiation monitors associated with containment purge isolation and control room ventilation isolation; however, the indication and alarm function of these monitors would be retained for RCS leakage detection. To meet single failure criteria, Item 3.a of Technical Specification Table 3.3-13 would be revised to require both containment purge radiation monitors (GT-RE-22 and 33) to be OPERABLE at all times. To allow for operational flexibility in performing test, maintenance, or repair activities, consistent with other Technical Specifications, an allowance for one inoperable purge monitor would also be added. The referenced licensee event report (LERs) were written as a result of the current, restrictive channel operability requirements.

Basis for proposed no significant consideration determination: In accordance with the requirements of 10 CFR 50.92, the licensee has submitted the following no significant hazards determination:

> This amendment request would delete Item 1.a and Action Statement 26 of Technical Specification Table 3.3-6, revise the Minimum Channels Operable requirement for Item 3.a of Technical Specification Table 3.3-13 from 1 to 2, and allow one purge radiation monitor to be inoperable for 24 hours, while PURGING, to perform test, maintenance, or repair activities. The following discussions address significant hazards evaluations associated with these changes. Since these changes are inextricably linked, and in effect constitute a joint change, hazards will be evaluated collectively.
>
> This change does not involve a significant increase in the probability or consequences of an accident previously evaluated. This is based on the fact that the containment purge isolation function is assured by the operability requirements imposed on the containment purge radiation monitors (GT-RE-22 and 33), and the RCS leakage detection function is assured by the operability requirements imposed on the containment atmosphere radiation monitors (GT-RE-31 and 32). The revised channel out-of-service allowance for the containment purge radiation monitors is consistent with other Technical Specifications allowed intervals of inoperability for test and maintenance.
>
> This change does not create the possibility of a new or different kind of accident from any accident previously evaluated. This is based on the fact that the methods and manner of plant operation is unchanged and the revised operability requirements are consistent with design and regulatory requirements, provide for consistency with other Technical Specifications, and allow maintenance and testing to be performed without entering an Action Statement.
>
> The change does not involve a significant reduction in a margin of safety. This is based on the fact that the removal of the containment atmosphere radiation monitors from the trip circuits is compensated by the proposed requirement for both containment purge rediation monitors to be OPERABLE at all times. As such, the requested amendment does not present a significant hazard.

Based on the previous discussions, the licensee concluded that the proposed amendment request does not involve a significant increase in the probability or consequences of an accident previously evaluated; nor create the possibility of a new or different kind of accident from any accident previously evaluated; nor involve a significant reduction in the required margin of safety. The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. The staff has, therefore, made a proposed determination that the licensee's request does not involve a significant hazards consideration.

Local Public Document Room location: Fulton City Library, 709 Market Street, Fulton, Missouri 65251 and the Olin Library of Washington University, Skinker and Lindell Boulevards, St. Louis, Missouri 63130.

Attorney for licensee: Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 M Street NW., Washington, DC 20036.

NRC Project Director: B.J. Youngblood.

PREVIOUSLY PUBLISHED NOTICES OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO OPERATING LICENSES AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices because time did not allow the Commission to wait for this bi-weekly notice. They are repeated here because the bi-weekly notice lists all amendments proposed to be issued involving no significant hazards consideration.

For details, see the individual notice in the **Federal Register** on the day and page cited. This notice does not extend the notice period of the original notice.

Philadelphia Electric Company, Docket No. 50-352, Limerick Generating Station, Unit 1, Montgomery County, Pennsylvania

Date of amendment request: November 17, 1986 as amended December 22, 1986.

Brief description of amendment request: The proposed amendment would change the Technical Specifications (TS) and would delete a condition to the facility operating license in accordance with the licensee's application for amendment dated November 17, 1986 as amended on December 22, 1986. The proposed changes would revise Technical Specification (TS) 3/4.2.3 "Minimum Critical Power Ratio," TS Table 3.3.6-2, "Control Rod Block Instrumentation Setpoints," and TS 4.4.1.1.2, "Reactor Coolant System-Surveillance Requirements." License Condition 2.C(13), "Operation With Partial Feedwater Heating at End-of-Cycle" would be satisfied since the basis for the condition, namely that the applicable safety analyses to permit PFH had not been performed, has been satisfied by the submittal of such analysis by the licensee. The reason for these changes is to permit operation of the unit with partial feedwater heating (PFH) and increased core flow (ICF) in order to extend the fuel cycle and provide increased operational flexibility. The proposed increase in core flow up to 105 percent of rated flow and the proposed decrease in feedwater temperature by up to 60°F tend to decrease the percentage of voiding in the coolant in the reactor core. This results in increased moderator density with an attendant increase in reactivity and hence power level. The ability to thus increase power level above that which the reactor would otherwise be capable of without PFH and ICF late in the fuel cycle is desirable to offset the reduction in power production late in the fuel cycle due to depletion of fissionable material. While continuing to meet all safety analysis acceptance criteria, the proposed changes will result in operations at a relatively higher power level for several months and will also provide an estimated one to two weeks extension of full power cycle length. This amendment does not involve an increase above the currently licensed power level.

Date of publication of individual notice in **Federal Register:** January 8, 1987 (52 FR 714).

Expiration date of individual notice: February 9, 1987.

Local Public Document Room location: Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Vermont Yankee Nuclear Power Corporation, Docket No. 50–271, Vermont Yankee Nuclear Power Station, Vernon, Vermont

Date of application for amendment: April 25, 1986.

Brief Description of amendment request: The proposed changes would modify the Technical Specifications to authorize increasing the storage capacity of the spent fuel pool from the present capacity of 200 fuel assemblies to 2870 fuel assemblies.

Date of publication of individual notice in **Federal Register:** December 31, 1986 (51 FR 47324).

Expiration date of individual notice: January 30, 1987.

Local Public Document Room location: Brooks Memorial Library, 224 Main Street, Brattleboro, Vermont 05301.

Attorney for licensee: John A. Ritscher, Esquire, Ropes and Gray, 225 Franklin Street, Boston, Massachusetts 02110.

NRC Project Director: Daniel R. Muller.

NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE

During the period since publication of the last bi-weekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing in connection with these actions was published in the **Federal Register** as indicated. No request for a hearing or petition for leave to intervene was filed following this notice.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendments, (2) the amendments, and (3) the Commission's related letters, Safety Evaluations and/or Environmental Assessments as indicated. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the local public document rooms for the particular facilities involved. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Licensing.

Arizona Public Service Company, et al. Docket No. STN 50–528 Palo Verde Nuclear Generating Station, Unit 1, Maricopa County, Arizona

Date of application for amendment: August 21, 1986.

Brief description of amendments: The amendment revised the surveillance requirements for charcoal absorbers in the technical specifications relating to the containment hydrogen purge cleanup system, the control room essential filtration system, the engineered safety features pump room air exhaust cleanup system and the fuel building essential ventilation system.

Date of issuance: January 7, 1987.

EFFECTIVE DATE: January 7, 1987.

Amendment No.: 12.

Facility Operating License No.: NPF-41: Amendment revised the Technical Specifications.

Date of initial notice in the **Federal Register:** October 22, 1986 (51 FR 37503). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 7, 1986.

No significant harzards consideration comments were received: No.

Local Public Document Room location: Phoenix Public Library, Business, Science and Technology Department, 12 East McDowell Road, Phoenix, Arizona 85004.

Carolina Power and Light Company, Docket No. 50–261, H.B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of application for amendment: September 3, 1986.

Brief description of amendment: The amendment revises Technical Specification Section 6.2.3. to reflect the dual role of Senior Reactor Operator (SRO), which can also be used in the role of Shift Technical Advisor (STA).

Date of issuance: December 30, 1986.

Effective date: December 30, 1986.

Amendment No.: 110.

Facility Operating License No. DPR-23. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** October 22, 1986 (51 FR 37505). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 30, 1986.

No significant hazards consideration comments received: No.

Local Public Document Room location: Hartsville Memorial Library, Home and Fifth Avenues, South Carolina 29535.

Carolina Power and Light Company, Docket No. 50–261, H.B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of applications for amendment: August 28, 1986; September 9, 1986 as supplemented November 25, 1986.

Brief description of amendment: The amendment revises Technical Specification Section 3.3.1.2 by correcting referenced paragraphs in response to a request dated August 28, 1986. In addition, TS Sections 6.13.1.a and 6.13.1.b are revised by specifying a distance of 18 inches for dose rate measurements that are made to determine if an area is High Radiation

Area (HRA) or a Locked High Radiation Area (LHRA). The latter change is in response to a request dated September 9, 1986, as supplemented November 25, 1986.

Date of issuance: December 30, 1986.

Effective date: December 30, 1986.

Amendment No.: 111.

Facility Operating License No. DPR-23. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register**: October 22, 1986 (51 FR 37505 and 51 FR 37506).

The November 25, 1986 letter, which supplemented the September 9, 1986 application, did not change the initial determination published in the **Federal Register.**

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 30, 1986.

No significant hazards consideration comments received: No.

Local Public Document Room location: Hartsville Memorial Library, Home and Fifth Avenues, South Carolina 29535.

Commonwealth Edison Company, Docket No. 50-265, Quad Cities Nuclear Power Station, Unit 2, Rock Island County, Illinois

Date of application for amendment: October 28, 1986.

Brief description of amendment: The amendment modifies the Technical Specifications to reflect plant modifications to the Standby Liquid Control System in response to the requirements of 10 CFR 50.62.

Date of issuance: December 30, 1986.

Effective date: December 30, 1986.

Amendment No.: 93.

Facility Operating License Nos. DPR-29 and DPR-30. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register**: November 19, 1986 (51 FR 41849). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 30, 1986.

No significant hazards consideration comments received: No.

Local Public Document Room location: Moline Public Library, 504 17th Street, Moline, Illinois 61265.

Commonwealth Edison Company, Docket Nos. 50-254 and 50-265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Date of application for amendment: October 22, 1986.

Brief description of amendments: The amendments to the Technical Specifications modify the Low Pressure Coolant Injection pump flow surveillance test.

Date of issuance: January 6, 1987.

Effective date: January 6, 1987.

Amendment Nos. 98 and 94.

Facility Operating License Nos. DPR-29 and DPR-30. Amendments revised the Technical Specifications.

Date of initial notice in **Federal Register**: November 5, 1986 (51 FR 40278). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 6, 1987.

No significant hazards consideration comments received: No.

Local Public Document Room location: Moline Public Library, 504 17th Street, Moline, Illinois 61265.

Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket No. 50-366, Edwin I. Hatch Nuclear Plant, Unit No. 2, Appling County, Georgia

Date of application for amendment: November 10, 1986.

Brief description of amendment: The amendment modifies the Technical Specification Sections related to operability requirements for the Main Control Room Environmental Control System (MCRECS) to: (1) Delete the requirement for automatic actuation of the control room pressurization mode of operation of the MCRECS upon receipt of a low-low reactor vessel water level signal, (2) change the requirement for automatic actuation of the control room pressurization mode of the MCRECS upon receipt of a high radiation signal in the refueling floor exhaust to require automatic actuation based on a high radiation signal in the refueling floor area, (3) change the location and format of the requirements related to the operability of the MCRECS to clarify and facilitate their use, (4) correct errors in the identification numbers listed for instrumentation that provides actuation signals for operation of the MCRECS, and (5) augment the MCRECS applicability requirements (Operational Conditions for which the MCRECS is required to be operable) to include additional Operational Conditions.

Date of issuance: December 29, 1986.

Effective date: December 29, 1986.

Amendment No.: 71.

Facility Operating License No. NPF-5. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register**: November 26, 1986, (51 FR 42951). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 29, 1986.

No significant hazards consideration comments received: No.

Local Public Document Room Location: Appling County Public Library, 301 City Hall Drive, Baxley, Georgia.

Louisiana Power and Light Company, Docket No. 50-382, Waterford Steam Electric Station, Unit 3, St. Charles Parish, Louisiana

Date of applications for amendment: September 10 and October 1, 1986, as supplemented by letter date October 6, 1986.

Brief description of amendment: The amendment revised the Technical Specification by redefining the responsibilities to be met by senior reactor operators during core alterations and revising the boron dilution requirements while in Modes 5 and 6.

Date of issuance: December 23, 1986.

Effective date: December 23, 1986.

Amendment No.: 9.

Facility Operating License No.: NPF-38: Amendment revised the Technical Specifications.

Dates of initial notices in **Federal Register**: October 8 and 22, 1986 (51 FR 36045) and 51 FR 37515).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 23, 1986.

No significant hazards consideration comments received: No.

Local Public Document Room location: University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122.

Louisiana Power and Light Company, Docket No. 50-382, Waterford Steam Electric Station, Unit 3, St. Charles Parish, Louisiana

Date of application for amendment: August 20, 1986, as supplemented by two letters dated October 6, 1986.

Brief description of amendment: The amendment revises the Appendix A Technical Specifications to reflect changes in the requirements for the boric acid makeup (BAMU) system, i.e., removal of the requirement for a heat tracing circuit and reduction of the boron concentration requirements for the BAMU system.

Date of issuance: January 8, 1987.

Effective date: January 8, 1987.

Amendment No.: 10.

Facility Operating License No.: NPF-38: Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register**: November 19, 1986 (51 FR 41856-41859). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 8, 1987.

No significant hazards consideration comments received: No.

Local Public Document Room location: University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122.

Louisiana Power and Light Company, Docket No. 50–382, Waterford Steam Electric Station, Unit 3, St. Charles Parish, Louisiana

Date of applications for amendment: August 29 and September 25, 1986, as supplemented by letters dated October 1 and October 23, 1986.

Brief description of amendment: The amendment revises the Appendix A Technical Specifications by: adding a power reduction curve to be used following a full or part-length control element assembly (CEA) misalignment; revising the shutdown margin whenever all full-length CEAs are fully inserted into the core; revising the special text exceptions on shutdown margin; and allowing credit for the log power trip physics testing.

Date of issuance: January 9, 1987.

Effective date: January 9, 1987.

Amendment No.: 11.

Facility Operating License No.: NPF–38: Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** October 8, 1986 (51 FR 36094); October 22, 1986 (51 FR 37514); and December 3, 1986 (51 FR 43681). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 9, 1987.

No significant hazards consideration comments received: No.

Local Public Document Room location: University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122.

Pacific Gas and Electric Company, Docket Nos. 50–275 and 50–323, Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, San Luis Obispo County, California

Date of application for amendments: February 14, 1986 (LAR 86–03).

Brief description of amendments: The amendment changes the Technical Specifications and associated Bases to assure two containment fan cooler units are available assuming a single failure, and specify a maximum positive containment internal pressure of +1.2 psig and a maximum pressure of 46.65 psig in the event of a LOCA.

Date of issuance: January 7, 1987.

Effective date: January 7, 1987.

Amendment No.: 11, 9.

Facility Operating License Nos. DPR–80 and DPR–82: Amendments revised the Technical Specifications.

Date of initial notice in **Federal Register:** April 9, 1986 (51 FR 12234). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 7, 1987.

No significant hazards consideration comments received: No.

Local Public Document Room location: California Polytechnic State University Library, Document and Maps Department, San Luis Obispo, California 93407.

Portland General Electric Company, et al., Docket No. 50–344, Trojan Nuclear Plant, Columbia County, Oregon

Date of application for amendment: July 17, 1986.

Brief description of amendment: The amendment changes Technical Specifications Sections 4.1.2.3, 4.1.2.4 and 4.5.2.i regarding the surveillance requirements for the Emergency Core Cooling System (ECCS) pumps.

Date of issuance: January 7, 1987.

Effective date: January 7, 1987.

Amendment No.: 123.

Facilities Operating License No. NPF–1: Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** October 22, 1986 (51 FR 37519). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 7, 1987.

No significant hazards consideration comments received: No.

Local Public Document Room location: Multnomah County Library, 801 SW. 10th Avenue, Portland, Oregon.

Power Authority of The State of New York, Docket No. 50–286, Indian Point Unit No. 3, Westchester County, New York

Date of application for amendment: July 22, 1986.

Brief description of amendment: The amendment revises the Technical Specifications to reflect changes in the licensee's organizational structure. These changes are designed to provide focused functional area management and efficiency.

Date of issuance: January 6, 1987.

Effective date: January 6, 1987.

Amendment No.: 71.

Facilities Operating License No. DPR–64: Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** October 8, 1986 (51 FR 36103). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 6, 1987.

No significant hazards consideration comments received: No.

Local Public Document Room location: White Plains Public Library, 100 Martine Avenue, White Plains, New York 10610.

Yankee Atomic Electric Company, Docket No. 50–029, Yankee Nuclear Power Station, Franklin County, Massachusetts

Date of application for amendment: October 22, 1986.

Brief description of amendment: The amendment modifies the Technical Specifications relating to the time that valve CS–MOV–532 (low pressure safety injection recirculation) can be open from 30 minutes to 120 minutes per week.

Date of issuance: January 6, 1987.

Effective date: January 6, 1987.

Amendment No.: 101.

Facility Operating License No. DPR–3. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** December 3, 1986 (51 FR 43687). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 6, 1987. No significant hazards consideration comments received: No.

Local Public Document Room location: Greenfield Community College, 1 College Drive, Greenfield, Masschusetts 01301.

Yankee Atomic Electric Company, Docket No. 50–029, Yankee Nuclear Power Station, Franklin County, Massachusetts

Date of application for amendment: October 15, 1985.

Brief description of amendment: The amendment modifies the Technical Specifications to allow power to be removed from the reactor coolant system vent valves.

Date of issuance: January 7, 1987.

Effective date: January 7, 1987.

Amendment No.: 102.

Facility Operating License No. DPR–3. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** November 6, 1985 (50 FR 46220). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 7, 1987. No significant hazards consideration comments received: No.

Local Public Document Room location: Greenfield Community College, 1 College Drive, Greenfield, Massachusetts 01301.

Dated at Bethesda, Maryland this 22d day of January 1987.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Director, Division of PWR Licensing-B, Office of Nuclear Reactor Regulation.

[FR Doc. 87-1766 Filed 1-27-87; 8:45 am]

BILLING CODE 7590-01-M

State of Illinois; Staff Assessment of Proposed Agreement Between the NRC and the State of Illinois

[Editorial Note: The following document was originally published at page 2309 in the issue of Wednesday, January 21, 1987. The document is being republished at the request of the agency.]

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of proposed agreement with State of Illinois.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission is publishing for public comment the NRC staff assessment of a proposed agreement received from the Governor of the State of Illinois for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended. Comments are requested on the public health and safety aspects of the proposal.

A staff assessment of the State's proposed program for control over sources of radiation is set forth below as supplementary information to this notice. A copy of the proposed agreement, program narrative, including the referenced appendices, applicable State legislation and Illinois regulations, is available for public inspection in the Commission's public document room at 1717 H Street NW., Washington, DC, the Commission's Region III Office, 799 Roosevelt Road, Building No. 4, Glen Ellyn, Illinois, and the Illinois Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. Exemptions from the Commission's regulatory authority, which would implement this proposed agreement, have been published in the **Federal Register** and codified as Part 150 of the Commission's regulations in Title 10 of the Code of Federal Regulations.

DATE: Comments must be received on or before January 30, 1987 * .

ADDRESSES: Written comments may be submitted to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Comments may also be delivered to Room 4000, Maryland National Bank Building, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Monday through Friday. Copies of comments received may be examined at the NRC Public Document Room, 1717 H Street NW., Washington DC.

FOR FURTHER INFORMATION CONTACT: Joel O. Lubenau, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: 301-492-9887.

SUPPLEMENTARY INFORMATION: Assessment of Proposed Illinois Program to Regulate Certain Radioactive Materials Pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

The Commission has received a proposal from the Governor of Illinois for the State to enter into an agreement with the NRC whereby the NRC would relinquish and the State would assume certain regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

Section 274e of the Atomic Energy Act of 1954, as amended, requires that the terms of the proposed agreement be published for public comment once each week for four consecutive weeks. Accordingly, this notice will be published four times in the **Federal Register.**

I. Background

A. Section 274 of the Atomic Energy Act of 1954, as amended, provides a mechanism whereby the NRC may transfer to the States certain regulatory authority over agreement materials [1] when a State desires to assume this authority and the Governor certifies that the State has an adequate regulatory program, and when the Commission finds that the State's program is compatible with that of the NRC and is adequate to protect the public health and safety. Section 274g directs the Commission to cooperate with the States in the formulation of standards for protection against radiation hazards to assure that State and Commission programs for radiation protection will be coordinated and compatible. Further, section 274j provides that the Commission shall periodically review such agreements and actions taken by the States under the agreements to ensure compliance with the provisions of this section.

B. In a letter dated October 2, 1986, Governor James P. Thompson of the State of Illinois requested that the Commission enter into an agreement with the State pursuant to section 274 of the Atomic Energy Act of 1954, as amended. The Governor certified that the State of Illinois has a program for control of radiation hazards which is adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement, and that the State of Illinois desires to assume regulatory responsibility for such materials. The text of the proposed agreement is shown in Appendix A.

The specific authority requested is for (1) byproduct material as defined in section 11e.(1) of the Act, (2) source material, (3) special nuclear material in quantities not sufficient to form a critical mass and (4) permanent disposal of low-level waste containing one or more of the foregoing materials but not containing uranium and thorium mill tailings (byproduct material as defined in section 11e.(2) of the Act. The State does not wish to assume authority over uranium recovery activities. The State, however, reserves the right to apply at a future date to NRC for an amended agreement to assume authority in this area. The nine articles of the proposed agreement cover the following areas:

I. Lists the materials covered by the agreement.

II. Lists the Commission's continued authority and responsibility for certain activities.

III. Allows for future amendment of the agreement.

IV. Allows for certain regulatory changes by the Commission.

V. References the continued authority of the Commission for common defense and security for safeguard purposes.

VI. Pledges the best efforts of the Commission and the State to achieve coordinated and compatible programs.

VII. Recognizes reciprocity of licenses issued by the respective agencies.

VIII. Sets forth criteria for termination or suspension of the agreement.

IX. Specifies the effective date of the agreement.

C. Ill. Rev. Stat. 1985, ch. 127, par. 63b17, the enabling statute for the Illinois Department of Nuclear Safety authorizes the Department to issue licenses to, and perform inspections of,

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* The Nuclear Regulatory Commission revised the deadline for comments to February 20, 1987, in a document published at page 2309 in the issue of Wednesday, January 21, 1987.

[1] A. Byproduct materials as defined in 11e(1)

B. Byproduct materials as defined in 11e(2)

C. Source materials; and

D. Special nuclear materials in quantities not sufficient to form a critical mass users of radioactive materials under the proposed agreement and otherwise carry out a total radiation control program. Illinois regulations for radiation protection were adopted on September 25, 1986 under authority of the enabling statute and provide standards, licensing, inspection, enforcement and administrative procedures for agreement and non-agreement materials. Pursuant to § 330.360 the regulations will apply to agreement materials on the effective date of the agreement. The regulations provide for the State to license and inspect users of naturally-occurring and accelerator-produced radioactive materials.

D. Illinois is one of two States with a cabinet-level agency devoted exclusively to radiation safety and control. Illinois' role in radiation safety is traceable to 1955 when the Illinois General Assembly created the Atomic Power Investigating Commission. The Illinois Department of Nuclear Safety Program provides a comprehensive program encompassing radiation protection regulation for radioactive materials and machine produced radiation, lasers, low-level radioactive waste management, surveillance of transportation of radioactive materials and environmental radiation, coordination of State government functions concerning nuclear power and emergency preparedness.

E. The proposed illinois Agreement will cover several unique facets. It will include (1) regulation of a low-level waste disposal site which is no longer accepting low-level radioactive waste for disposal (Sheffield), (2) regulation of a new regional low-level waste disposal facility, (3) regulation of one of only two licensed uranium conversion plants in the United States (Allied-Chemical) and (4) assumption of regulatory responsibility for off-site source material resulting from operation of the Kerr-McGee West Chicago Rare Earths Facility (including such material which is, or may be, stored on the Kerr-McGee site). Jurisdiction over the tailings materials at this site (by-product material as defined by section 11e(2) of the Act) will remain with NRC. The State's proposed programs for low-level radioactive waste disposal and the Allied Chemical plant are assessed under Criteria nos. 9, "Radioactive Waste Disposal" and 20 "Personnel." The disposition of the regulatory responsibility for the Kerr-McGee radioactive materials resulting from the operation of the Rare Earths Facility is covered in the assessment under Crtierion 25, "Existing NRC Licenses and Pending Applications."

Under the proposed agreement jurisdiction for health and safety for Allied Chemical's plant would be transferred to Illinois. The Allied Chemical plant is one of 2 plants in the United States licensed to convert uranium "yellowcake" to UF_6. NRC staff is reviewing the common defense and security significance of the Allied Chemical plant in consultation with appropriate Federal agencies. Section 274 agreements are approved by the Commission when, among other things, the proposed State program is adequate to protect the public health and safety. The NRC staff assessment finds the proposed Illinois program will provide adequately for public health and safety. The Atomic Energy Act, as amended, however, states that such agreements shall not affect the Commission's authority to protect the common defense and security. The decision on whether to exclude the Allied Chemical plant from the Agreement will be made by the Commission concurrent with its decision on the Illinois request for an Agreement.

II. NRC Staff Assessment of Proposed Illinois Program for Control of Agreement Materials

Reference: Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States Through Agreement.[2]

Objectives

1. Protection. A State regulatory program shall be designed to protect the health and safety of the people against radiation hazards.

Based upon the analysis of the State's proposed regulatory program the staff believes the Illinois proposed regulatory program for agreement materials is adequately designed to protect the health and safety of the public against radiation hazards.

Reference: Illinois Program Statement, Application for Agreement State Status.

Radiation Protection Standards

2. *Standards.* The State regulatory program shall adopt a set of standards for protection against radiation which shall apply to byproduct, source and special nuclear materials in quantities not sufficient to form a critical mass.

Statutory authority to formulate and promulgate rules for controlling exposure to sources of radiation is contained in the enabling statute. In accordance with that authority, the State adopted radiation control regulations on September 25, 1986 which include radiation protection standards which would apply to byproduct, source and special nuclear materials in quantities not sufficient to form a critical mass upon the effective date of an agreement between the State and the Commission pursuant to section 274b of the Atomic Energy Act of 1954, as amended.

Reference: 32 ILL. ADM. CODE Parts 310, 320, 330, 340, 341, 350, 351, 370, 400 and 601.

3. *Uniformity in Radiation Standards.* It is important to strive for uniformity in technical definitions and terminology, particularly as related to such things as units of measurement and radiation dose. There shall be uniformity on maximum permissible doses and levels of radiation and concentrations of radioactivity, as fixed by 10 CFR Part 20 of the NRC regulations based on officially approved radiation protection guides.

Technical definitions and terminology contained in the Illinois Radiation Control Regulations including those related to units of measurement and radiation doses are uniform with those contained in 10 CFR Part 20.

Reference: 32 ILL. ADM. CODE 310.20, 3410.20, 350.30, 351.30, 370.20, and 601.20.

4. *Total Occupational Radiation Exposure.* The regulatory authority shall consider the total occupational radiation exposure of individuals, including that from sources which are not regulated by it.

The Illinois regulations cover all sources of radiation within the State's jurisdiction and provide for consideration of the total radiation exposure of individuals from all sources of radiation in the possession of a licensee or registrant.

Reference: 32 ILL. ADM. CODE 340.1010 to 340.1060.

5. *Surveys, Monitoring.* Appropriate surveys and personnel monitoring under the close supervision of technically competent people are essential in achieving radiological protection and shall be made in determining compliance with safety regulations.

The Illinois requirements for surveys to evaluate potential exposures from sources of radiation and the personnel monitoring requirements are uniform with those contained in 10 CFR Part 20. Additionally, for personnel dosimeters (except extremity dosimeters and pocket ionization chambers) that require processing, the accreditation criteria in the January 1, 1985 revision of 15 CFR 7b and in American National Standards Institute N13.11–1983, 1983 edition, must be met.

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[2] NRC Statement of Policy published in the **Federal Register** January 23, 1981 (46 FR 7540–7546), a correction was published July 16, 1981 (46 FR 36969) and a revision of Criterion 9 published in the **Federal Register** July 21, 1983 (48 FR 33376).

References: 32 ILL. ADM. CODE 340.2010, 340.2020 and 340.2070.

6. *Labels, Signs, Symbols.* It is desirable to achieve uniformity in labels, signs, and symbols, and the posting thereof. However, it is essential that there be uniformity in labels, signs, and symbols affixed to radioactive products which are transferred from person to person.

The prescribed radiation labels, signs and symbols are uniform with those contained in 10 CFR Parts 20, 30 thru 32 and 34. The Illinois posting requirements are also uniform with those of Part 20.

References: 32 ILL. ADM. CODE 330.220(g), 330.220(i), 330.280(d), 330.280(g), 340.2030 and .2040, 350.1050.

7. *Instruction.* Persons working in or frequenting restricted areas shall be instructed with respect to the health risks associated with exposure to radioactive materials and in precautions to minimize exposure. Workers shall have the right to request regulatory authority inspections as per 10 CFR 19, Section 19.16 and to be represented during inspections as specified in Section 19.14 of 10 CFR 19.

The Illinois regulation contain requirements for instruction and notices to workers that are uniform with those of 10 CFR Part 19.

Reference: 32 ILL. ADM. CODE Part 400.

8. *Storage.* Licensed radioactive material in storage shall be secured against unauthorized removal.

The Illinois regulations contain a requirement for security of stored radioactive material.

Reference: 32 ILL ADM. CODE 340.2060.

9. *Radioactive Waste Disposal.* (a) Waste disposal by material users. The standards for the disposal of radioactive materials into the air, water and sewer, and burial in the soil shall be in accordance with 10 CFR Part 20. Holders of radioactive material desiring to release or dispose of quantities or concentrations of radioactive materials in excess of prescribed limits shall be required to obtain special permission from the appropriate regulatory authority.

Requirements for transfer of waste for the purpose of ultimate disposal at a land disposal facility (waste transfer and manifest system) shall be in accordance with 10 CFR Part 20.

The waste disposal standards shall include a waste classification scheme and provisions for waste form, applicable to waste generators, that is equivalent to that contained in 10 CFR Part 61.

(b) Land Disposal of waste received from other persons. The State shall promulgate regulations containing licensing requirements for land disposal of radioactive waste received from other persons which are compatible with the applicable technical definitions, performance objectives, technical requirements and applicable supporting sections set forth in 10 CFR Part 61. Adequate financial arrangements (under terms established by regulation) shall be required of each waste disposal site licensee to ensure sufficient funds for decontamination, closure and stabilization of a disposal site. In addition, Agreement State financial arrangements for long–term monitoring and maintenance of a specific site must be reviewed and approved by the Commission prior to relieving the site operator of licensed responsibility (section 151(a)(2), Pub. L. 97—425).

The Illinois regulations contain provisions relating to the disposal of radioactive materials into the air, water and sewer and burial in soil which are essentially uniform with those of 10 CFR Part 20. Waste transfer and manifest system requirements for transfer of waste for ultimate disposal at a land disposal facility are included in the Illinois regulations. The waste disposal requirements include a waste classification scheme and provisions for waste form equivalent to that in 10 CFR Part 61.

The Illinois regulations provide for land disposal of low—level radioactive waste received from other persons which are compatible with the applicable technical definitions, performance objectives, technical requirements and supporting sections set out in 10 CFR Part 61. The Illinois regulations include provisions for financial arrangements for decontamination, closure and stabilization. Under the Nuclear Waste Policy Act of 1982 (Pub. L. 97—425) the financial arrangements for long–term monitoring and maintenance at specific sites in Illinois will be subject to Commission review and approval prior to Illinois relieving the site operator of licensed responsibility.

References: 32 ILL. ADM. CODE 340.1060, 340.3010 to 340. 3110, Part 601; Section 151(a)(2), Pub. L. 97–425.

10. *Regulations Governing Shipment of Radioactive Materials.* The State shall to the extent of its jurisdiction promulgate regulations applicable to the shipment of radioactive materials, such regulations to be compatible with those established by the U.S. Department of Transportation and other agencies of the United States whose jurisdiction over interstate shipment of such materials necessarily continues. State regulations regarding transportation of radioactive materials must be compatible with 10 CFR Part 71.

The Illinois regulations are uniform with those contained in NRC regulations 10 CFR Part 71.

References: 32 ILL. ADM. CODE Part 341.

11. *Records and Reports.* The State regulatory program shall require that holders and users of radioactive materials (a) maintain records covering personnel radiation exposures, radiation surveys, and disaposals of materials; (b) keep records of the receipt and transfer of the materials; (c) report significant incidents involving the materials, as prescribed by the regulatory authority; (d) make available upon request of a former employee a report of the employee's exposure to radiation; (e) at request of an employee advise the employee of his or her annual radiation exposure; and (f) inform each employee in writing when the employee has received radiation exposure in excess of the prescribed limits.

The Illinois regulations require the following records and reports licensees and registrants:

(a) Records covering personnel radiation exposures, radiation surveys, and disposals of materials.

(b) Records of receipt and transfer of materials.

(c) Reports concerning incidents involving radioactive materials.

(d) Reports to former employees of their radiation exposure.

(e) Reports to employees of their annual radiation exposure.

(f) Reports to employees of radiation exposure in excess of prescribed limits.

Reference: 32 ILL. ADM. CODE 310.40, 340.4010, 340.4030, 340.4050 and 400.130.

12. *Additional Requirements and Exemptions.* Consistent with the overall criteria here enumerated and to accommodate special cases and circumstances, the State regulatory authority shall be authorized in individual cases to impose additional requirements to protect health and safety, or to grant necessary exemptions which will not jeopardize health and safety.

The Illinois Department of Nuclear Safety is authorized to impose upon any licensee or registrant by rule, regulation, or order such requirements in addition to those established in the regulations as it deems appropriate or necessary to minimize danger to public health and safety or property.

Reference: 32 ILL. ADM. CODE 310.70.

The Department may also grant such exemptions from the requirements of the regulations as it determines are authorized by law and will not result in undue hazard to public health and safety or property.

Reference: 32 ILL. ADM. CODE 310.30.

Prior Evaluation of Uses of Radioactive Materials

13. *Prior Evaluation of Hazards and Uses, Exceptions.* In the present state of knowledge, it is necessary in regulating the possession and use of byproduct, source and special nuclear materials that the State regulatory authority require the submission of information on, and evaluation of, the potential hazards and the capability of the user or possessor prior to his receipt of the materials. This criterion is subject to certain exceptions and to continuing reappraisal as knowledge and experience in the atomic energy field increase. Frequently there are, and increasingly in the future there may be, categories of materials and uses as to which there is sufficient knowledge to permit possession and use without prior evaluation of the hazards and the capability of the possessor and user. These categories fall into two groups—those materials and uses which may be completely exempt from regulatory controls, and those materials and uses in which sanctions for misuse are maintained without pre-evaluation of the individual possession or use. In authorizing research and development or other activities involving multiple uses of radioactive materials, where an institution has people with extensive training and experience, the State regulatory authority may wish to provide a means for authorizing broad use of materials without evaluating each specific use.

Prior to the issuance of a specific license for the use of radioactive materials, the Illinois Department of Nuclear Safety will require the submission of information on, and will make an evaluation of, the potential hazards of such uses, and the capability of the applicant.

References: 32 ILL. ADM. CODE 330.240 to 330.340 and Part 601; Illinois Program Statement, Sections II.B.1(a)(1) "Licensing," II.C.1(a)(3) "Regulating Low-Level Waste Disposal" and III.B. "Licensing."

Provision is made for the issuance of general licenses for byproduct, source and special nuclear materials in situations where prior evaluation of the licensee's qualifications, facilities, equipment and procedures are not required. The regulations grant general licenses under the same circumstances as those under which general licenses are granted in the Commission's regulations.

References: 32 ILL. ADM. CODE 330.210 and 330.220.

Provision is made for exemption of certain source and other radioactive materials and devices containing radioactive materials. The exemptions for materials covered by the Agreement are the same as those granted by NRC regulations.

References: 32 ILL. ADM. CODE 330.30 and 330.40.

14. *Evaluation Criteria.* In evaluating a proposal to use radioactive materials, the regulatory authority shall determine the adequacy of the applicant's facilities and safety equipment, his training and experience in the use of the materials for the purpose requested, and his proposed administrative controls. States should develop guidance documents for use by license applicants. This guidance should be consistent with NRC licensing and regulatory guides for various categories of licensed activities.

In evaluating a proposal to use agreement materials, the Illinois Department of Nuclear Safety will determine that:

(1) The applicant is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with the regulations in such a manner as to minimize danger to public health and safety or property;

(2) The applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property; and

(3) The issuance of the license will not be inimical to the health and safety of the public.

Other special requirements for the issuance of specific licenses are contained in the regulations.

References: 32 ILL. ADM. CODE 330.250 to 330.280 and Part 601; Illinois Program Statement, Sections II.B.1.a(1) "Licensing" II.C.1.(a) "Low-Level Radioactive Waste Management" and III.B "Licensing."

15. *Human Use.* The use of radioactive materials and radiation on or in humans shall not be permitted except by properly qualified persons (normally licensed physicians) possessing prescribed minimum experience in the use of radioisotopes or radiation.

The Illinois regulations require that the use of radioactive materials (including sealed sources) on or in humans shall be by a physician having substantial experience in the handling and administration of radioactive material and, where applicable, the clinical management of radioactive patients.

Reference: 32 ILL. ADM. CODE 330.260(a), (b), and (c).

Inspection

16. *Purpose, Frequency.* The possession and use of radioactive materials shall be subject to inspection by the regulatory authority and shall be subject to the performance of tests, as required by the regulatory authority. Inspection and testing is conducted to determine and to assist in obtaining compliance with regulatory requirements. Frequency of inspection shall be related directly to the amount and kind of material and type of operation licensed, and it shall be adequate to insure compliance.

Illinois materials licensees will be subject to inspection by the Department of Nuclear Safety. Upon instruction from the Department, licensees shall perform or permit the Department to perform such reasonable tests and surveys as the Department deems appropriate or necessary. The frequency of inspections is dependent upon the type and scope of the licensed activities and will be at least as frequent as inspections of similar licensees by NRC. Generally, inspections will be unannounced.

References: 32 ILL. ADM. CODE 310.50, 310.60, 310.70 and 400.140(a); Illinois Program Statement, Section II.B.1.(a)(2) "Inspection and Compliance," Section III.C, "Inspection and Enforcement" and Section IV.C., "Division of Responsibilities."

17. *Inspections Compulsory.* Licensees shall be under obligation by law to provide access to inspectors.

Illinois regulations state that licensees shall afford the Department at all reasonable times opportunity to inspect sources of radiation and the premises and facilities wherein such sources of radiation are used or stored.

Reference: 32 ILL. ADM. CODE 310.50.

18. *Notification of Results of Inspection.* Licensees are entitled to be advised of the results of inspections and to notice as to whether or not they are in compliance.

Following Department inspections, each licensee will be notified in writing of the results of the inspection. The letters and written notices indicate if the licensee is in compliance and if not, list the areas of noncompliance.

Reference: Illinois Program Statement, Section II.B.1.(a)(2) "Inspection and Compliance," Section III.C, "Inspection and Enforcement" and Section IV.C., "Division of Responsibilities."

Enforcement

19. *Enforcement.* Possession and use of radioactive materials should be amenable to enforcement through legal sanctions, and the regulatory authority shall be equipped or assisted by law with the necessary powers for prompt enforcement. This may include, as appropriate, administrative remedies looking toward issuance of orders requiring affirmative action or suspension or revocation of the right to possess and use materials, and the impounding of materials; the obtaining of injunctive relief; and the imposing of civil or criminal penalties.

The Illinois Department of Nuclear Safety is equipped with the necessary powers for prompt enforcement of the regulations. Where conditions exist that create a clear presence of a hazard to the public health that requires immediate action to protect human health and safety, the Department may issue orders to reduce, discontinue or eliminate such conditions. The department actions may also include impounding of radioactive material, imposition of a civil penalty, revocation of a license, and requesting the State Attorney General to seek injunctions and convictions for criminal violations.

References: 32 ILL. ADM. CODE 310.70, 310.80, 310.90, 330.500; Ill. Rev. Stat. 1985, ch. 111½, pars. 219, 222, 223 and 224; Illinois Program Statement, Section II.B.1.(a)(2), "Inspection and Compliance," Section III.C, "Inspection and Enforcement" and Section IV.C., "Division of Responsibilities."

Personnel

20. *Qualifications of Regulatory and Inspection Personnel.* The regulatory agency shall be staffed with sufficient trained personnel. Prior evaluation of applications for licenses or authorizations and inspection of licensees must be conducted by persons possessing the training and experience relevant to the type and level of radioactivity in the proposed use to be evaluated and inspected.

To perform the functions involved in evaluation and inspection, it is desirable that there be personnel educated and trained in the physical and/or life sciences, including biology, chemistry, physics and engineering, and that the personnel have had training and experience in radiation protection. The person who will be responsible for the actual performance of evaluation and inspection of all of the various uses of byproduct, source and special nuclear material which might come to the regulatory body should have substantial training and extensive experience in the field of radiation protection.

It is recognized that there will also be persons in the program performing a more limited function in evaluation and inspection. These persons will perform the day-to-day work of the regulatory program and deal with both routine situations as well as some which will be out of the ordinary. These people should have a bachelor's degree or equivalent in the physical or life sciences, training in health physics, and approximately two years of actual work experience in the field of radiation protection.

The foregoing are considered desirable qualifications for the staff who will be responsible for the actual performance of evaluation and inspection. In addition, there will probably be trainees associated with the regulatory program who will have an academic background in the physical or life sciences as well as varying amounts of specific training in radiation protection but little or no actual work experience in this field. The background and specific training of these persons will indicate to some extent their potential role in the regulatory program. These trainees, of course, could be used initially to evaluate and inspect those applications of radioactive materials which are considered routine or more standardized from the radiation safety standpoint, for example, inspection of industrial gauges, small research programs, and diagnostic medical programs. As they gain experience and competence in the field, the trainees could be used progressively to deal with the more complex or difficult types of radioactive material applications. It is desirable that such trainees have a bachelor's degree or equivalent in the physical or life sciences and specific training in radiation protection. In determining the requirement for academic training of individuals in all of the foregoing categories, proper consideration should be given to equivalent competency which has been gained by appropriate technical and radiation protection experience.

It is recognized that radioactive materials and their uses are so varied that the evaluation and inspection functions will require skills and experience in the different disciplines which will not always reside in one person. The regulatory authority should have the composite of such skills either in its employ or at its command, not only for routine functions, but also for emergency cases.

a. *Radioactive Materials Program.*

i. Personnel.

There are approximately 890 NRC specific licenses in the State of Illinois. Under the proposed agreement, the State would assume responsibility for about 800 of these licenses. The Department's Division of Nuclear Materials is currently staffed with 13 professional persons and has one vacancy. Including the Manager of the Office of Radiation Safety (in which the Division of Nuclear Materials is located), four individuals will be assigned management and supervisory duties in the materials program. Exclusive of the low-level radioactive waste regulatory program and the regulatory oversight for a uranium conversion plant (discussed below) we estimate the State will need to apply between 7.9 to 12 staff-years of professional effort to the radioactive materials program. Illinois will apply about 14.4 staff-years to this program. The personnel together with summaries of their assigned responsibilities, training and experience are as follows (except as noted percentage of time devoted to the radioactive materials program will be 90% or more):

Terry R. Lash: Director, Illinois Department of Nuclear Safety, Governor's Designated Liaison to NRC. (10% of time devoted to materials program).

Training:

Ph.D.—Yale University (1970)
—Molecular Biophysics and Biochemistry, Yale University
M.Ph.—Molecular Biophysics and Chemistry
—Yale University (1967)
B.A.—Reed College (1965)
—Physics Major

Experience:

1984—Present: Director, Illinois Department of Nuclear Safety
1983—1984: Deputy Director, Illinois Department of Nuclear Safety
1983—1983: Independent Consultant
1982—1983: Science Director, Scientists' Institute for Public Information, New York City
1981—1982: Independent Consultant
1980—1981: Director, Science and Public Policy, The Keystone Center, Dillon, Colorado
1972—1980: Staff Scientist, Natural Resources Defense Council, San Francisco, California
1970—1972: Postdoctoral Research Fellow, Yale University Medical School, New Haven, Connecticut

Paul D. Eastvold: Manager, Office of Radiation Safety. Responsible for managing the programs, functions and activities of four technical divisions: Nuclear Materials, Electronic Products, Radiologic Technologist Accreditation and Medical Physics (33% of time devoted to materials program).

Training:

B.S.—University of Iowa (1970)

—General Science/Nuclear Medicine Technology

"Special Topics in Licensing: Contingency Plans," US NRC, San Francisco, CA (1986)

"Impact of Proposed Changes to 10 CFR 20," Technical Management Services, Inc., Gaithersburg, Maryland (1986)

"Large Irradiation Radiation Safety Workshop," US NRC, New Jersey (1985)

"Incinertion of Radioactive Material Workshop," University of California (1984)

"Transportation of Radioactive Materials," US NRC, Illinois (1983)

"Recognition, Evaluation, and Control of Non-Ionizing Radiation," US Dept. of Labor, Illinois (1981)

"Inspection Procedures," US NRC, Illinois (1980)

"Safety Aspects of Industrial Radiography," US NRC, Louisiana (1980)

"Quality Assurance in Nuclear Medicine," US FDA, Maryland (1979)

"Health Physics in Radiation Accidents," Oak Ridge Associated Universities, Tennessee (1979)

"Laser Safety Seminar," US Food and Drug Admin., Wisconsin (1979)

"Radiological Response Operations Training Course," US NRC, Nevada (1978)

"Radiopharmacies—Problems and Solutions," Univ. of Southern California, California (1978)

"Radiological Emergency Response Planning Course," US NRC, Minnesota (1977)

"Health Physics and Radiation Protection," US NRC, Tennessee (1977)

"Fundamentals of Non-Ionizing Radiation Protection," U.S. Food and Drug Administration, Maryland (1973)

"Licensing Course—Byproduct, Source, and Special Nuclear Materials," US NRC, Maryland (1972)

Experience:

1980—Present: Illinois Department of Nuclear Safety

1971—1980: Illinois Department of Public Health, Division of Radiological Health

1970—1971: University of Iowa Radiation Protection Office

Michael Ewan: Chief, Division of Nuclear Materials. Manages the Division including supervision of staff and establishment of program objectives.

Training:

M.A.—Sangamon State University , IL (1980)

—Business Administration

B.S.—University of Iowa (1971)

—General Science/Nuclear Medicine Technology

"Uranium and Thorium: A Perspective on the Hazard," Radiation Safety Associates, Inc., Springfield, Illinois (1986)

"Special Topics in Licensing: Contingency Plans," US NRC, San Francisco, CA (1986)

"Incineration Basics," Univ. of California, Irvine, Charlotte, N.C. (1986)

"Basic Supervision," Keye Productivity Center, Springield, Illinois (1986)

"Impact of Proposed Changes to 10 CFR 20," Technical Management Services, Inc., Gaithersburg, Maryland (1986)

"Transportation of Radioactive Materials," US DOE, Illinois (1985)

"Technical Writing," Richmond Staff Development, Illinois (1985)

"Health Physics and Radiation Protection," Oak Ridge Associated Universities, Tennessee (1985)

"Gas and Oil Well Logging," US NRC, Texas (1984)

"Licensing Practices and Procedures," US NRC, Maryland (1984)

"Transportation of Radioactive Materials," US NRC, Illinois (1983)

"Current Applications of Nuclear Imaging," Siemens Gammasonics, Inc., Illinois (1981)

"Nuclear Cardiology," Univ. of Wisconsin, Wisconsin (1980)

Experience:

1982–Present: Illinois Department of Nuclear Safety

1973–1982: St. John's Hospital, Springfield, Illinois

1981: Lincoln Land Community College, Springfield, Illinois (Instructor)

1973–1977: Nuclear Medicine Institute, Ohio (Affiliate Instructor)

1971–1973: Wesley Medical Center, Kansas

Jou-Guang (Joe) Hwang: Licensing Section Head, Division of Nuclear Materials. Responsible for supervising the review of radioactive material license applications.

Training:

Ph.D.—Purdue University (1985)

—Health Physics

MSPH—University of South Carolina (1981)

—Industrial Hygiene and Environmental Quality Assessment

B.S.—National Taiwan University (1978)

—Pharmacy

"Uranium and Thorium: A Perspective on the Hazard," Radiation Safety Associates, Inc., Springfield, Illinois (1986)

"External Dosimetry," Health Physics Society, State College, Pennsylvania (1986)

"Introduction to Licensing Practices and Procedures," US NRC, Bethesda, Maryland (1986)

"Medical Uses of Radionuclides for State Regulatory Personnel," US NRC, Oak Ridge Tennessee (1986)

Experience:

1986–Present: Illinois Department of Nuclear Safety

1983–1986: Purdue University, Graduate Teaching Instructor, School of Pharmacy, Nursing and Health Sciences

1980–1982: Purdue University, Graduate Research Instructor, School of Health Sciences

1980–1981: University of South Carolina, Graduate Teaching Assistant, Department of Environmental Health Sciences

1980–1980: University of South Carolina, Graduate Research Assistant, Department of Environmental Health Sciences

1978–1979: The Church of Taipei, Minister, Taipei, Taiwan

1978–1979: Yun-Fu Pharmaceutical Ltd., Pharmacist, Taipei, Taiwan

1977–1977: National Taiwan University, Hospital, Pharmacy Intern, Taipei, Taiwan

1977–1977: Pfizer Pharmaceutical Company, Assistant Pharmacist (Intern), Tan-Shui, Taiwan ROC

Y. David La Touche: Radioactive Materials License Reviewer, Division of Nuclear Materials. Performs reviews of radioactive material license applications and performs inspections of radioactive materials licensees.

Training:

Ph.D.—Oregon State University (1981)

—Radiation Biology

M.S.—Oregon State University (1978)

—Biological Science

B.S.—Concordia University, Montreal, Canada (1976)

—Biology

"Special Topics in Licensing: Contingency Plans," US NRC, San Francisco, CA (1986)

"Health Physics and Radiation Protection," US NRC, Oak Ridge, Tennessee (1986)

"Uranium and Thorium: A Perspective on the Hazard," Radiation Safety Associates, Inc., Springfield, Illinois (1986)

"Introduction to Licensing Practices and Procedures," US NRC, Bethesda, Maryland (1986)

Experience:

1986—Present: Illinois Department of Nuclear Safety

1982–1986: Oregon State University, Corvallis, Oregon Research Associate
1979–1981: Oregon State University, Corvallis, Oregon Graduate Research Associate
1977–1979: Oregon State University, Corvallis, Oregon Graduate, Teaching Assistant

Yu-Ann Stephen Hsu: Radioactive Materials License Reviewer, Division of Nuclear Materials. Performs reviews of radioactive material license applications and performs inspections of radioactive materials licensees.

Training:

M.S.—Old Dominion University (1982)
—Norfolk, Virginia
—Physics
B.S.—Tam Kang college of Arts and Sciences
—Physics
"Introduction to Air Toxics," US EPA, Kansas City, Missouri (1985)
"Health Physics and Radiation Protection," US NRC, Oak Ridge, Tennessee (1984)
"Safety Aspects of Industrial Radiography for State Regulatory Personnel," US NRC, Baton Rouge, Louisiana (1984)
"Cobalt Teletherapy Calibration," US NRC, Houston, Texas (1984)
"Medical Use of Radionuclides for State Regulatory Personnel," US NRC, Tennessee (1984)
"Gas and Oil Well-Logging for State Regulatory Personnel," US NRC, (1983)
"Hazardous Waste Management," Old Dominion University, Virginia Beach, Virginia (1982)
"Inspection Procedures," US NRC, Atlanta, Georgia (1986)

Experience:

1986—Present Illinois Department of Nuclear Safety
1985—1986: Iowa Electric Light & Power Company, Cedar Rapids, Iowa, Radiological Engineer
1982—1985: Kansas Department of Health and Environment, Topeka, Kansas, Radiation Control Inspector
1981—1982: Eastern Virginia Medical Authority, Norfolk, Virginia, Assistant Radiation Safety Officer
1980—1981: Eastern Virginia Medical Authority, Norfolk, Virginia, Radiation Safety Research Technician
1979—1980: Old Dominion University Norfolk, Virginia, Research Assistant

Steve Meiners: Radioactive Materials License Reviewer, Division of Nuclear Materials. Performs reviews of radioactive material license applications and performs inspections of radioactive materials licensees.

Training:

M.S.—University of Arkansas for Medical Sciences (1985)
—Radiation Health Physics
B.A.—Harding University (1981)
—Biology
"Medical Uses of Radionuclides for State Regulatory Personnel," US NRC, Oak Ridge, Tennessee (1986)

Experience:

1985—1985: Texas Tech University, Radiation Safety Officer
1984—1984: University of Arkansas, Graduate Assistant
1981—1984: University of Ankansas, Laboratory Technologist
1981—1983: University of Arkansas, Aquatic Ecologist
1980—1981: Harding University, Teaching Assistant

Sheryl O. Soderdahl: Support Services Section Head, Division of Nuclear Materials. Responsible for the Division's data processing system and registration program, assists in license reviews and inspections, assists in review and revision of regulations and standards and serves as the Department's Radiation Safety Officer.

Training:

B.S.—Purdue University, Indiana (1980) Health Physics
"Inspection Procedures," US NRC, Atlanta, Georgia (1985)
"Writing for Results," Sangamon State University, Springfield, Illinois (1985)
"Introduction to Licensing Practices and Procedures," US NRC, Washington, D.C. (1985)
"Environmental Health Practices," University of Massachusetts, Amherst, Massachusetts (1982)

Experience:

1985—Present: Illinois Department of Nuclear Safety
1980—1985: University of Massachusetts, Department of Environmental Health and Safety, Amherst, Massachusetts, Staff Health Physicist
1979—1979: Fermi National Accelerator Laboratory, Proton Department, Batavia, Illinois

Bruce J. Sanza: Inspection and Enforcement Section Head, Division of Nuclear Materials. Manages the inspection and enforcement program.

Training:

M.S.—Texas A & M University (1985)
—Nuclear Engineering (Health Physics)
B.S.—University of Virginia (1979)
—Nuclear Engineering
"Uranium and Thorium: A Perspective on the Hazard," Radiation Safety Associated, Springfield, Illinois (1986)
"Inspection Procedure," US NRC, Atlanta, Georgia (1986)
"Gas & Oil Well Logging for Regulatory Personnel," (Accepted for attendance at November, 1986 course, Houston, Texas)

Experience:

1986—Present: Illinois Department of Nuclear Safety
1983—1986: Texas A & M University, Health Physicist, College Station, Texas
1980—1983: Carolina Power & Light Company, Radiation Control Specialist, Hartsville, South Carolina

George E. Merrihew: Radioactive Materials License Inspector. Performs reviews of radioactive materials license applications and performs inspections of radioactive materials licensees.

Training:

M.A.—Sangamon State University (1972)
—Biology/Psychology
B.A.—Sangamon State University (1971)
—Biology/Psychology
A.A.—Springfield, College in Illinois (1969)
—General Secience
"Radiological Emergency Response Operation," FEMA, Las Vegas, Nevada (1986)
"Medical Uses of Radionuclides," US NRC, Oak Ridge, Tennessee (1986)
"Gas and Well Logging for Regulatory Personnel," US NRC, Houston, Texas (1985)
"Radioactive Material Training Course: Hazardous Material Regulations of the United States Department of Transportation," Chicago, Illinois (1985)
"Safety Aspects of Industrial Radiography," US NRC, Baton Rouge, Louisiana (1985)
"Introduction to Licensing Practices and Procedures," US NRC, Bethesda, Maryland (1984)
"Inspection Procedures," US NRC, Atlanta, Georgia (1984)
"Health Physics and Radiation Protection," US NRC, Oak Ridge, Tennessee (1984)
"Radiation Protection Technology," Rockwell International, Energy Systems Group (1983)
"Transportation of Nuclear Materials," US NRC Illinois (1983)
"Executive Development Academy," Illinois Department of Personnel, Illinois (1981)
"ANS Cobol Course," (1980); "Basic Systems Analysis: (1980); "General Introduction to Statistical Package for the Social Sciences" (1979); "DP Concepts" (1979); "IMS Environment Course" (1979); "Easytrieve/IMS Class" (1979); "Basics in Easytrieve," State of Illinois Data Processing Training Center (1977)
"Air Pollution Control Orientation," US EPA (1978)

"Community Hygiene," US HEW, Georgia (1978)
University of Illinois, School of Clinical Medicine, (1974)
University of Illinois, School of Basic Medical Sciences (1973)

Experience:

1983–Present: Illinois Department of Nuclear Safety
1974–1983: Illinois Department of Public Health, Division of Engineering
1971–1972: Sangamon State University, Department of Biology, Graduate Assistant
1965–1967: Memorial Medical Center, Clinical Laboratory

Lori Kim Podolak: Radioactive Materials License Inspector. Performs reviews of radioactive materials license applications and performs inspections of radioactive materials licensees.

Training:

M.S.—University of Lowell (1986)
—Radiological Sciences
B.S.—Kentucky Wesleyan College (1984)
—Physics

Experience:

1986–Present: Illinois Department of Nuclear Safety
1984–1986: University of Lowell
1985: Brookhaven National Laboratory
1983: Oak Ridge National Laboratory

Andrew S. Gulczynski: Chicago Inspection and Enforcement Section Head, Division of Nuclear Materials. Supervises Chicago office materials license inspectors.

Training:

B.S—Northeastern Illinois University (1981)
—Biology
"Five Week Health Physics and Radiation Protection Course," US NRC, Oak Ridge, Tennessee (1986)
"Internal Dose Assessment," Technical Management Services, Inc., Illinois (1985)
"Transportation of Radioactive Materials," US DOE, Chicago, Illinois (1985)
"Medical Uses of Radionuclides for State Regulatory Personnel," US NRC, Oak Ridge, Tennessee (1984)
"Safety Aspects of Industrial Radiography for State Regulatory Personnel," US NRC, Baton Rouge, Louisiana (1983)
"Inspection Procedures for State Regulatory Personnel," US NRC, Atlanta, Georgia (1983)
"Radiological Emergency Response Operations," FEMA, Las Vegas, Nevada (1983)

Experience:

1985–Present: Illinois Department of Nuclear Safety
1982–1985: Kansas Department of Health and Environment, Bureau of Radiation Control, Topeka, Kansas,
1981–1982: Argonne National Laboratory, Argonne, Illinois
1977–1981: Northeastern Illinois University, Chicago, Illinois

John D. Papendorf: Radiocative Materials License Inspector. Performs reviews of radiactive materials license applications and performs inspections of radioactive materials licensees.

Training:

N.M.T.—Oak Park Hospital (1975)
—Nuclear Medicine Technologist Certification
R.T.—Hines V.A. Hospital (1972)
—X-Ray Technologist Certification
A.S.—Central YMCA College (1972)
"Inspection of Transportation of Radioactive Materials," U.S. NRC, Glen Ellyn, Illinois (1985)
"Nuclear Transportation for State Regulatory Personnel," US NRC, Columbia South Carolina (1984)
"Hazardous Materials Training Course," U.S. DOE, Chicago, Illinois (1983)
"Radiation Safety," Northwestern University, Evanston, Illinois (1982)
"Radiation Therapy Workshop, Medical Linear Accelerators," US Public Health Service, Chicago, Illinois (1981)
"Acceptance Testing of Radiological Imaging Equipment," American Association of Physicists in Medicine, American College of Radiology and Society for Radiological Engineering, Chicago, Illinois (1981)
"Safety Aspects of Industrial Radiography for State Programs," US NRC, Baton Rouge, Louisiana (1981)
"Inspection Procedures," US NRC, Glen Ellyn, Illinois (1980)
"Quality Assurance in Nuclear Medicine Departments," US Food and Drug Administration, Rockville, Maryland (1979)
"Radiological Emergency Response Operations Training Course for State and Local Government Emergency Preparedness Personnel," FEMA, Las Vegas, Nevada (1979)
"Special Procedures on CT Scanners" US Public Health service, Chicago, Illinois (1976)
"Radiological Workshop," US Public Health Service, Chicago, Illinois (1976)

Experience:

1980–Present: Illinois Department of Nuclear Safety
1976–1980: Illinois Department of Public Health, Division of Radiological Health
1973–1976: Oak Park Hospital, Nuclear Medicine Technologist, Oak Park, Illinois
1972–1973: Oak Park Hospital, X-Ray Technologist, Oak Park, Illinois

Robin Gehrhardt Bauer: Radioactive Materials License Inspector. Performs reviews of radioactive materials license applications and performs inspections of radioactive materials licensees.

Training:

M.S.—Emory University (1985)
—Radiological Physics
B.S.—University of Miami (1983)
—Biology
"Health Physics and Radiation Protection," US NRC, Oak Ridge, Tennessee (1986)

Experience:

1986–Present: Illinois Department of Nuclear Safety
1985–1985: Georgia Baptist Hospital, Internship, Medical Physics, Atlanta, Georgia
1985–1985: Emory University, X-Ray, Nuclear Medicine, Calibration, Atlanta, Georgia
19893–1984: Loyola University, Research Technician, Maywood, Illinois

Joanne B. Kark: Radioactive Materials License Inspector. Performs reviews of radioactive materials license applications and performs inspections of radioactive materials licensees.

Training:

Graduate work toward M.S.—Colorado State University (1985)
—University of Tennessee (1982)
—Health Physics
B.S.—Villanova University (1975)
—Biology
Certificate—St. Joseph's Hospital and Medical Center School of Nuclear Medicine Technology Paterson, New Jersey (1977)
"Inspection Procedures," US NRC, Atlanta, Georgia (1986)

Experience:

1986–Present: Illinois Department of Nuclear Safety
1981–1984: Oak Ridge National Laboratory, Health and Safety Research Division, Senior Laboratory Technician
1979–1981: Oak Ridge National Laboratory, Biology Division, Biological Technician
1977–1979: Radiology Associates, Albert Einstein Medical Center, No. Division, Nuclear Medicine Technologist.
1976–1977: SpectroChem Laboratories, Inc., Analytical Chemistry Technician

John W. Cooper: Manager, Office of Environmental Safety. Provides technical support to the Division of Nuclear Materials on an as needed basis.

Training:

Ph.D—University of Iowa (1971)

—Radiation Biology
M.S.—University of Iowa (1966)
—Pharmacy
B.S.—Drake University (1960)
—Pharmacy
"Industrial Ventilation Systems," OSHA Training Institute, Illinois (1983)
"Respirator Safety for CSHO's," OSHA Training Institute, Illinois (1982)

Experience:

1981–Present: Illinois Department of Nuclear Safety
1975–1981: U.S. Nuclear Regulatory Commission, Region III, Inspector and license reviewer
1971–1975: Allegheny General Medical Center, Radiation Biology Laboratory
1964–1971: University of Iowa, Radiation research and teaching

Apparao Devata: Chief, Division of Medical Physics. Provides technical support to the Division of Nuclear Materials on an as needed basis.

Training:

Ph.D.—University of New Orleans (1975)—Physics
M.S.—University of New Orleans (1972)—Physics
MSc.—Andhra University (1968)—Applied Physics
BSc.—Andhra Loyola College (1965)—Mathematics

Experience:

1985–Present: Illinois Department of Nuclear Safety
1985: Medical Physics Consultant
1983–1985: St. James Hospital Medical Center, Chicago Heights, Illinois, Medical physicist
1975–1983: St. Joseph's Hospital, Elgin, Illinois, Medical physicist
1975: Mt. Sinai Hospital, Chicago, Illinois, Medical physicist
VA Hines Hospital, Hines, Illinois, Medical physicist
1969–1975: University of New Orleans Research and teaching

Reference: Illinois Program Statement, Section III, "Implementation of the Agreement State Program for Materials Licenses," Section IV.A.3, "Staff Requirements" and Appendix 5, "Current Agreement State Staff Positions: Byproduct Material, Source Material and Special Nuclear Materials in Quantities Not Sufficient to Form a Critical Mass."

b. Regulatory Oversight of Uranium Conversion Plant

i. Personnel.

There are two plants in the United States which convert natural uranium oxide (yellowcake) to uranium hexafluoride. These activities are conducted pursuant to source materials licenses issued by the NRC. Under the proposed Agreement, the source material license for the Allied Chemical uranium conversion facility located in Metropolis will be transferred to Illinois.* The Office of Radiation Safety, Division of Nuclear Materials will be responsible for regulatory oversight with technical support from the Offices of Environmental Safety and Nuclear Facility Safety. Overall IDNS will commit 0.6 full-time equivalent professionals effort to this program. Key staff assigned to this program together with summaries of their duties and training and experience are:

(a) Staff previously identified in the materials program (Section 20.a)

Jou-Guang (Joe) Hwang, Y. David La Touche, Bruce J. Sanza, John W. Cooper.

(b) Other IDNS staff:

Lih-Ching Chu: Chief, Division of Radiochemistry Laboratories, Office of Environmental Safety. Supervises analytical support for all Department programs. Provides technical support in radiochemistry and radioanalysis.

Training:

Ph.D—Washington University (1981)—Chemistry
M.A.—Washington University (1981)—Chemistry
M.S.—East Texas State University (1976)—Chemistry
B.S.—Tamkang College of Arts and Sciences (1971)—Chemistry
"Vax Applications Manager," Canberra Industries, Inc., CT, 1984
"Introduction to S–90–VMS Apogee System Operations," Canberra Industries, Inc., CT, 1984

Experience:

1984–Present: Illinois Department of Nuclear Safety
1981–1984: Illinois Department of Energy and Natural Resources
1976–1981: Washington University, St. Louis, Missouri
1974–1976: East Texas State University, Commerce, Texas
1973–1974: Young-Ho Middle School, Young-Ho, Taiwan, ROC
1971–1973: Military Service, Taiwan, ROC

David A. Filler: Assistance Chief, Division of Radiochemistry Laboratories, Office of Environmental Safety. Provides radiochemistry support.

Training:

Ph.D.—University of Michigan, (1976)—Biochemistry
M.S.—University of Michigan, (1973)—Biochemistry
B.S.—Purdue University (1969)—Chemistry
"Vax Applications Manager," Canberra Industries, Inc., Connecticut (1984)
"Introduction to S–90–VMS Apogee System Operations," Canberra Industries, Inc., Connecticut (1984)
"Auditor Training," Gilbert/Commonweath (1984)
"Radiological Monitor," Indiana Department of Civil Defense and Emergency Management (1983)
"Radiochemistry for State Regulatory Personnel," NRC (1983)
"Radiological Monitoring, Sampling and Analysis of Nuclear Facilities," US DOE (1983)
"Radiological Emergency Response Training for State Government Emergency Preparedness Personnel," FEMA/US DOE (1982)

Experience:

1984–Present: Illinois Department of Nuclear Safety
1981–1984: Indiana State Board of Health, Radiochemistry Lab, Indianapolis, Indiana
1977–1981: Indiana University Medical Center, Indianapolis, Indiana
1976–1977: St. Jude Children's Research Hospital, Memphis, Tennessee

James F. Scheweitzer: Health Physicist, Office of Environmental Safety. Serves as a specialist in environmental monitoring and will provide technical support and guidance in this area.

Training:

Ph.D.—Purdue University (1985)—Environmental Toxicology
M.S.—Purdue University (1981)—Health Physics
B.S.—Randolph-Macon College (1976)—Biology
Environmental Laws and Compliance Course
Short Course: Uranium and Thorium: A Perspective on the Hazard (1986)

Experience:

1986–Present: Illinois Department of Nuclear Safety
1985–1986: Purdue University, Office of Radiological and Chemical Control
1980–1980: Purdue University, Office of Radiological and Chemical Control

Michael H. Momeni: Chief, Low-Level Waste Siting Section, Office of Environmental Safety. Provides radiological and environmental support for the Office of Environmental Safety and will provide technical support for Allied Chemical regulatory actions.

Training:

Ph.D—University of Iowa—Biophysics/Radiation Biology

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*The Commission is considering whether continued NRC regulation of the Allied Chemical Plant is necessary in the interest of the common defense and security of the United States.

M.S.—University of Iowa—Nuclear Physics
B.A.—Luther College—Physics-Mathematics

Experience:

1986–Present: Illinois Department of Nuclear Safety
1985–1986: Scientist, Oak Ridge Associated Universities, Oak Ridge, Tennessee
1983–1985: Professor-Director of Health Physics Program, San Diego State University, San Diego, California
1975–1983: Senior Scientist, Argonne National Laboratory, Argonne, Illinois
1970–1975: Biophysicist-Lecturer, The University of California, Davis, California
1962–1963: Science Teacher, Urbana Consolidated Schools, Iowa

Gary Wright: Manager, Office of Nuclear Facility Safety. Provides technical assistance concerning engineering principles and emergency planning and response.

Training:

—Sangamon State University (1974)
—Degree approx. half complete in Public Administration
M.S.—University of Illinois (1965)—Nuclear Engineering
B.S.—Millikin University (1964)—Physics/Mathematics
"Management Education Workshop," Ill. Dept. of Personnel, Champaign (1978)
"International Symposium on Migration of Tritium in the Environment," International Atomic Energy Agency, California (1978)
"Radiological Emergency Response Operations," US NRC, Nevada (1977)
"Workshop on Collective Bargaining for Public Employees," Ill. Dept. of Personnel (1976)
"Administrative and Organizational Behavior," Ill. Dept. of Public Health (1975)
"Professional Engineering Review," Univ. of Ill. (1974)
"Response of Structures to External Forces, i.e., Earthquakes, Tornados, etc.," Penn. State Univ. (1968)

Experience:

1980–Present: Illinois Department of Nuclear Safety
1973–1980: Illinois Department of Public Health
1967–1973: Sangamo-Weston Electronics Company, Springfield, Illinois
1965–1967: Westinghouse Electric Company, Forrest Hills, Pennsylvania

Reference: Illinois Program Statement, Section III.D." Allied Chemical Uranium Conversion Facility," Appendix 5, and Appendix 9, "Current Agreement State Staff Positions: Low-Level Radioactive Waste Management Program, Office of Environmental Safety."

c. Licensing and Regulation of Permanent Disposal of Low-Level Radioactive Waste

i. Personnel

The Office of Environmental Safety has responsibility for the low-level waste (LLW) management regulatory program which includes the Sheffield site and the regional waste disposal facility. The assessment of the regulatory framework is included under Criterion 9, "Radioactive Waste Disposal." The LLW and transportation management program is staffed by 13 technical staff members. The Manager of the Office of Environmental Safety will provide overall supevision and management and the Chief of the Office's Division of Nuclear Chemistry will provide laboratory support. Technical support will also be available from the Division of Nuclear Materials. These personnel and summaries of their duties are:

(a) Staff previously identified in the materials or uranium conversion plant regulatory oversight programs (Section 20 a and b):

Michael H. Momeni, Lih-Ching Chu, John W. Cooper, James F. Schweitzer.

(b) Other IDNS Staff:

Robert A. Lommler: Chief, Division of Waste and Transportation. Has responsibilities for implementing the Illinois LLW management act, supervises staff in the LLW program and manages the spent nuclear fuel and LLW shipment inspection program.

Training:

B.S.—Kent State University (1971)—Chemistry
"10 CFR 61," US NRC, Springfield, Illinois (1986)
"Incinerator Basics," Univ. of California, Charlotte, N.C. (1986)
"Radioactive Material Transportation Workshop," US DOE, Chicago, Illinois (1985)
"10 CFR 61 Compliance," TMS, Inc., Washington, D.C. (1984)
"Radiological Protection Officer Course," U.S. Army (1978)
"Chemical Officer Advanced Course," U.S. Army (1978–1979)
"Transportation of Hazardous Materials by Air," US DOT (1972)
"Chemical Officer Basic Course," U.S. Army (1971)

Experience:

1984–Present: Illinois Department of Nuclear Safety
1979–1983: U.S. Army, Radiation Safety Officer, Ft. Riley, Kansas
1975–1978: U.S. Army, Mannehim, West Germany
1971–1975: U.S. Army, Edgewood, Maryland

Michael Klebe: Nuclear Safety Engineer. Serves as technical resource on LLW management environmental problems, decomissioning and disposal facility siting.

Training:

M.S.—Montana College of Mineral Science and Technology (1982)—Mining Engineering
B.S.—Montana College of Mineral Science and Technology (1980)—Mining Engineering

Experience:

1986–Present: Illinois Department of Nuclear Safety
1982–1986: Shell Mining Company, Houston, Texas and Elkhart, Illinois, Mining Engineer

David Flynn: Geologist. Evaluates geological and hydrologic factors relating to LLW management.

Training:

B.S.—Southern Illinois University (1979)—Geology
"Uranium and Thorium: A Perspective on the Hazard," Radiation Safety Associates, Springfield, Illinois (1986)
"Corrective Actions for Containing and Controlling Ground Water Contamination," National Water Well Association, Columbus, Ohio (1986)
"A Standardized System for Evaluation of Groundwater Pollution Potential Using Hydrogeologic Setting," National Water Well Association, Denver, Colorado (1986)
"Groundwater Pollution and Hydrology," Princeton & Associates, Miami, Florida (1986)
"Engineering and Design of Waste Disposal Systems," Civil Engineering Department, Colorado State University, Fort Collins, Colorado (1985)
""Groundwater Monitoring Workshop," Illinois Department of Energy and Natural Resources, Champaign, Illinois (1984)
"Radiological Emergency Response Training for State and Local Government Emergency Preparedness Personnel," FEMA, Nevada Test Site (1983)

Experience:

1983–Present: Illinois Department of Nuclear Safety
1981–1983: Mine Geologist, Atlas Minerals Corporation, Moab, Utah
1980–1981: Associate Mine Geologist, Rancher's Exploration & Development Corporation, Albuquerque, New Mexico
1979–1980: Junior Geologist, Rancher's Exploration & Development

Corporation, Albuquerque, New Mexico

Shannon M. Flannigan: Geologist. Reviews, interprets and evaluates geologic hydrologic, physical and environmental data related to environmental impact, design, location, construction and decommissioning of facilities.

Training:

B.S.–Drake University (1978) Geology
A.A.–Springfield College in Illinois (1976)–Business
"Radiological Emergency Response," FEMA, Nevada (1986)
"Groundwater Contaminant Transport Modeling," Princeton University, Princeton, New Jersey (1986)
"A standardized System for Evaluating Groundwater Pollution Using Hydrogeologic Setting," Denver, Colorado (1986)
"Groundwater Pollution & Hydrology," Princeton Associates, Princeton, New Jersey (1986)
"Borehole Geophysics Techniques for Solving Groundwater Problems," National Water Well Association, Denver, Colorado (1986)
"Soil Mechanics and Foundations," Lincoln Land Community College, Springfield, Illinois (1981)
"Environmental Risk Assessment," Sagamon State University, Springfield, Illinois (1985)
"Recognition, Evaluation, and Control of Ionizing Radiation," OSHA Training Institute, Illinois (1985)

Experience:

1985–Present: Illinois Department of Nuclear Safety
1984–1985: Hanson Engineers, Inc. Springfield, Illinois
1981–1984: Veesay Geoservice, Inc. Denver, Colorado
1978–1981: Hanson Engineers, Inc. Springfield, Illinois.

George T. FitzGerald: Nuclear Safety Engineer I. Principally responsible for geology.

Training:

B.A.–Humboldt State University, California (1968)–Geology
Post-Graduate Work: Education, Humboldt State University, Economic Evaluation, Colorado School of Mines, Golden, Colorado

Experience:

1986–Present: Illinois Department of Nuclear Safety
1984–1986: Boliden Minerals, Inc., Silver City, New Mexico
1980–1984: Minatome Corporation, Denver, Colorado
1975–1980: SOHIO, Seboyeta, New Mexico
1968–1975: Kerr McGee Corporation Grants, New Mexico

Dana M. Willaford: Nuclear Safety Supervisor. Responsible for overall operation of waste generator registration and inspection program.

Training:

M.P.A.–Sangamon State University (1983)
B.A.–University of Illinois (1981)–Political Science, Math/Physics Minor
"Radioactive Materials Transportation Course," US DOE, Kansas City, Missouri (1986)
"Uranium and Thorium: A Perspective on the Hazard," Radiation Safety Associates, Inc., Springfield, Illinois (1986)
"Recognition, Evaluation, and Control of Ionizing Radiation," OSHA, Des Plaines, Illinois (1985)
"Environmental Laws and Regulations Compliance Course," government institutes, Washington, D.C. (1985)
"Radiological Emergency Response Operations Course," FEMA, Nevada (1983)

Experience:

1983–Present: Illinois Department of Nuclear Safety
1981–1983: Illinois Department of Nuclear Safety/Sangamon State University (Graduate Public Service Intern)
1977–1981: University of Illinois (Student Worker)

Tim Runyon: Nuclear Safety Inspector. Assists the Chief, Waste & Transportation Management.

Training:

A.S.–Illinois Central College–Radiologic Technology
"Hazardous Materials Transportation Course," ISP, Illinois State Policy Academy, Springfield, Illinois (1985)
"Review of USDOT Regulations," US NRC, Hanford, Washington (1985)
"Evaluation and Control of Ionizing Radiation," OSHA, Argonne National Laboratory (1981)
"Emergency Response for Radiological Accidents," REECO, Las Vegas, Nevada (1981)

Experience:

1985–Present: Illinois Department of Nuclear Safety, Office of Environmental Safety
1979–1985: Illinois Department of Nuclear Safety, Office of Radiation Safety

Stephen B. Shafer: Nuclear Safety Inspector II. Performs inspections and health physics Surveys.

Training:

Graduate Classes (non-degree) University of Illinois (1984)
B.S.–Western Illinois University (1983)–Geophysics
Hazardous Materials Transportation Enforcement Course, Illinois State Police, Springfield, Illinois (1986)
Radiological Emergency Response Operations Course, FEMA, Nevada (1986)
Short Course: Uranium and Thorium: A Perspective on the Hazard (1986)

Experience:

1986–Present: Illinois Department of Nuclear Safety
1984–1984: Illinois Department of Nuclear Safety, Summer Intern

Eric Schwing: Attorney. Provides legal counsel to the Director and technical staff in low-level radioactive waste management.

Training:

Ph.D. Candidate (presently enrolled), Michigan State University, Resource Development/Environmental Toxicology
Doctor of Laws (1982), Thomas M. Cooley Law School
B.A.—Michigan State University (1976) —Chemistry

Experience:

1986–Present: Illinois Department of Nuclear Safety
1978–1986: Michigan Department of Public Health
1973–1978: Michigan State University
1971–1972: William Beaumont Geneal Hospital (U.S. Army)

Gregory P. Crouch: Chief, Division of Radioecology. Directs the Office's environmental surveillance program.

Training:

M.P.H.—University of Minnesota (1986) —Environmental Health
M.S.—Purdue University (1977) —Bionucleonics/Health Physics
B.S.—Purdue University (1975) —Biology
"Seminar on the Transportation of Nuclear Materials," US NRC, Springfield, Illinois (1983)
"Radiological Emergency Response Course," US DOE/FEMA, Nevada Test Site (1983)
"Inspection Procedures Course," US NRC, Atlanta, Georgia (1982)

Experience:

1986–Present: Illinois Department of Nuclear Safety
1981–1984: Illinois Department of Nuclear Safety
1977–1978: Indiana University Medical Center, Assistant Radiation Safety Officer
1976–1977: Purdue University, Radiological Services, Graduate Assistant

Gregory J. Shott: Nuclear Safety Supervisor. Supervises the Department's—Mobile Radiochemistry Laboratory.

Training:

M.S.—University of Michigan (1985), Fisheries
B.S.—University of New Hampshire (1981), Biology

Experience:

1986–Present: Illinois Department of Nuclear Safety
1985–1986: Environmental & Chemical Sciences, Inc.; Environmental Scientist
1984: Lawrence Livermore National Laboratory; Research Associate, Environmental Intern Program
1981–1984: University of Washington, Laboratory of Radiation Ecology, Research Assistant

David D. Ed: Assistant Manager, Office of Environmental Safety.

Training:

B.S.—University of Illinois, Urbana (1971)
—Chemistry
"Radon Training for State Personnel," US EPA (1986)
"Comprehensive Health Physics," Rockwell International (1985)
'Biological Effects of Ionizing Radiation," Harvard University, School of Public Health (1982)
"Dose Projection, Accident Assessment and Protective Action Decision Making for Radiological Emergency Response," US NRC, FEMA (1980)
"Environmental Radiation Surveillance," Georgia Institute of Technology (1977)
"Radiological Emergency Response Operations Training," US NRC, ERDA (1977)
"Environmental Source Term Modeling," University of Chicago, Argonne National Laboratory (1971)

Experience:

1980–Present: Illinois Department of Nuclear Safety
1973–1980: Illinois Department of Public Health
1972–1973: Illinois Environmental Protection Agency

Abdul Khalique: Nuclear Safety Scientist I. Plans, implements and participates in radioanalytical programs.

Training:

Ph.D.—University of Birmingham, England (1976), Analytical Chemistry
M.S.—University of Karachi, Pakistan (1967), Chemistry
B.S.—University of Karachi, Pakistan (1964)
Quality Control Course, University of Business Administration, University of Karachi, Pakistan 1964)

Experience:

1986–Present Illinois Department of Nuclear Safety
1981–1986: Department of Pharmacology, Southern Illinois University School of Medicine
1975–1980: Glaxo Laboratories (Pakistan), Ltd.
1968–1970: Opal Laboratories, Ltd. (Pakistan)

Melanie A. Hamel: Health Physicist. Functions as a health physics specialist in the environmental monitoring division.

Training:

B.S.—University of Lowell, MA (1977), Health Physics
University of Lowell, MA (1977), Environmental Monitoring and Surveillance, Health Physics Certification Review, Medical Health Physics
"Environmental Law and the Citizen," Sangamon State University, Springfield, Illinois
"Post-Accident Radiation Assessment," Northwestern University, Illinois
"Radiation Protection Instrumentation," Harvard University, Boston, MA
"Radon Training Session for State Personnel," US EPA

Experience:

1982–Present: Illinois Department of Nuclear Safety
1977–1981: Yankee Atomic Electric Company
1975: University of Lowell, Research Reactor Facility, Health Physics Technician

Michael V. Madonia: Nuclear Safety Associate. Performs technical duties concerning nuclear facility monitoring and environmental radiation control.

Training:

B.S.—University of Illinois
—Nuclear Engineering, Radiation Protection and Shielding
"Air Sampling for Radioactive Materials," Oak Ridge Associated Universities; Oak Ridge, Tennessee (1986)
"Personal Computer Applications in Health Physics," TMS, Inc.; Boston, MA (1986)
Nuclear-General Employee Training (NGET), Commonwealth Edison, Chicago, Illinois (1985)
"Radiation Detection and Measurement—Advanced Course," Eberline Analytical, Albuquerque, New Mexico (1985)
"Fundamentals of Ground Water Contamination," Geraghty & Miller, Chicago, Illinois (1985)

Experience:

1985–Present: Illinois Department of Nuclear Safety
1983–1984 (Summers): Illinois Department of Nuclear Safety

Richard Walker: Nuclear Policy Analyst. Performs review and analysis of Federal and State regulations.

Training:

Ph.D—Purdue University (1976)
—Sociology (Research Methods and Statistics)
M.S.—Purdue University (1974)
—Sociology
B.S.—Marietta College (1972)
—Sociology
Environmental Radiation Surveillance, Harvard University, Massachusetts (1985)
"Fundamentals of Radiation Safety," Radiation Safety Associates (1985)

Experience:

1985–Present: Illinois Department of Nuclear Safety
1978–1984: Chairman, Department of Sociology, Blackburn College, Carlinville, Illinois
1976–1978: Department of Sociology Muhlenberg College, Allentown, Pennsylvania

Teresa A. Adams: Nuclear Policy Analyst. Performs staff functions coordinating and assisting with the direction of office programs.

Training:

B.A.—Wellesley College (1981)
—German
Massachusetts Institute of Technology, Department of Urban Studies and Planning (1982–1984)
University of Hanover, West Germany; Department of Planning and Architecture (1981–1982)
Additional coursework in decision analysis, fundamentals of radiation protection, hazardous waste minimization

Experience:

1985–Present: Illinois Department of Nuclear Safety
1984: Parliamentary Research Service; Bonn, West Germany
1982–1984: Worked on a variety of projects dealing with policy development and dispute resolution in environmental issues

Paul E. Seidler: Nuclear Policy Analyst. Responsible for implementing the Illinois public participation plan, also performs as liaison with local government groups.

Experience:

M.A.—University of Chicago (1986)
—Public Policy
B.A.—University of Illinois (1983)
—Political Science, Communications Studies
Urban & Regional Information Systems Association, 1986 Annual Conference (1986)

Experience:

1986–Present: Illinois Department of Nuclear Safety

1985–1986: University of Chicago, Office of the Comptroller
1985–1985: Illinois Bureau of the Budget
1984–1985: Compass Health Plans
1984–1984: U.S. Senator Paul Simon
1982–1982: Creative Research Associates

Reference: Illinois Program Statement, (Section II.C.1.a), "Low-Level Waste Management," (Section II.C.1.b) "Sheffield Low-Level Waste Disposal Facility," Section IV.B, "Low-Level Radioactive Waste Management Program," and Appendices 5 and 9.

21. *Conditions Applicable to Special Nuclear Material, Source Material, and Tritium.* Nothing in the State's regulatory program shall interfere with the duties imposed on the holder of the materials by the NRC, for example, the duty to report to the NRC, on NRC prescribed forms (1) transfers of special nuclear material, source material, and tritium; and (2) periodic inventory data.

The State's regulations do not prohibit or interfere with the duties imposed by the NRC on holders of special nuclear material owned by the U.S. Department of Energy or licensed by NRC, such as the responsibility of licensees to supply to the NRC reports of transfer and inventory.

Reference: 32 ILL. Adm. Code 310.10.

22. *Special Nuclear Material Defined.* The definition of special nuclear material in quantities not sufficient to form a critical mass, as contained in the Illinois regulations, is uniform with the definition in 10 CFR Part 150.

Reference: 32 ILL. Adm. Code 310.20, Definition of Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass.

Administration

23. *Fair and Impartial Administration.* The Illinois statute and regulations provide for administrative and judicial review of actions taken by the Department of Nuclear Safety.

Reference: 32 Ill. Adm. Code Parts 200, 310.90, 310.110, 330.500, Part 400.

24. *State Agency Designation.* The Illinois Department of Nuclear Safety has been designated as the State's radiation control agency.

References: Enabling statute for Illinois Department of Nuclear Safety, Ill. Rev. Stat. 1985, ch. 127, par. 63b17.

25. *Existing NRC Licenses and Pending Applications.* The Department has made provision to continue NRC licenses in effect temporarily after the transfer of jurisdiction. Such licenses will expire on the date of expiration specified in the NRC license.

With respect to the radioactive materials covered by the NRC license issued to Kerr-McGee Chemical Corporation for the West Chicago Rare Earth's Facility (Docket No. 40–2061–SC) the NRC staff has determined that the radioactive materials at the facility are most appropriately treated as thorium mill tailings, i.e., byproduct materials are defined in Section 11e.(2) of the Atomic Energy Act of 1954, as amended, whereas the thorium-bearing materials recovered from off-site residential properties and sewer treatment plant in West Chicago and stored at the Kerr-McGee facility are source material. The former material [11e(2) by product material] will not be subject to the Agreement and NRC will retain regulatory jurisdiction. The latter material will be regulated by IDNS when the Agreement becomes effective.

Radiologically contaminated materials in Kress Creek and in Reed-Keppler Part, West Chicago have also been determined by NRC staff to be source material. The former is the subject of an Atomic Safety and Licensing Board (ASLB) Proceeding [Docket 40–2061–SC (ASLBP No 84–502–01–SC)]. In the Kress Creek proceeding, in which Kerr-McGee and the People of the State of Illinois are parties, the ASLB found that the presence of this material in Kress Creek and the West Branch of the DuPage River probably resulted from the conduct of an NRC (and AEC) licensed activity at the West Chicago Rare Earths Facility. The ASLB, however, declined to require clean-up of the Creek and River based upon its analysis of the hazard posed by the radiologically contaminated material. The NRC staff has appealed that decision to the Atomic Safety and Licensing Appeal Board, but a decision on appeal has not yet been issued. Jurisdiction over source material in Kress Creek and the West Branch of the DuPage River will be relinquished to Illinois when the Agreement becomes effective. At that time, the NRC staff will request termination of the ASLB proceeding. Jurisdiction over the source material in Reed-Keppler Park will also be relinquished to Illinois when the Agreement becomes effective.

With respect to the Sheffield low-level radioactive waste disposal site, jurisdiction will be relinquished by the NRC to Illinois when the Agreement becomes effective. At that time, NRC staff will request termination of the ASLB proceeding [Docket 27–39–SC (ASLB No. 78–374–01–OT)].

Reference: 32 ILL. ADM. CODE 330.360.

26. *Relations With Federal Government and Other States.* There should be an interchange of Federal and State information and assistance in connection with the issuance of regulations and licenses or authorizations, inspection of licensees, reporting of incidents and violations, and training and education problems.

The proposed agreement declares that the State will use its best efforts to cooperate with the NRC and the other Agreement States in the formulation of standards and regulatory programs for the protection against hazards of radiation and to assure that the State's program will continue to be compatible with the Commission's program for the regulation of like materials.

Reference: Proposed Agreement between the State of Illinois and the Nuclear Regulatory Commission, Article VI.

27. *Coverage, Amendments, Reciprocity.*

The proposed Illinois agreement provides for the assumption of regulatory authority over the following categories of materials within the State:

(a) Byproduct material, as defined by Section 11e(1) of the Atomic Energy Act, as amended.

(b) Source materials.

(c) Special nuclear materials in quantities not sufficient to form a critical mass.

(d) The land disposal of source, byproduct and special nuclear material received from other persons.

Reference: Proposed Agreement, Article I.

Provision has been made by Illinois for the reciprocal recognition of licenses to permit activities within Illinois of persons licensed by other jurisdictions. This reciprocity is like that granted under 10 CFR Part 150.

Reference: 32 ILL. ADM. CODE 330.900.

28. *NRC and Department of Energy Contractors.*

The State's regulations provide that certain NRC and DOE contractors or subcontractors are exempt from the State's requirements for licensing and registration of sources of radiation which such persons receive, possess, use, transfer, or acquire.

Reference: 32 ILL. ADM. CODE 310.30.

III. Staff conclusion

Section 274d of the Atomic Energy Act of 1954, as amended, states;

> The Commission shall enter into an agreement under subsection b of this section with any State if:
>
> (1) The Governor of that State certifies that the State has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement, and that the State

desires to assume regulatory responsibility for such materials; and

(2) The Commission finds that the State program is in accordance with the requirements of subsection o. and in all other respects compatible with the Commission's program for the regulation of such materials, and that the State program is adequate to protect the public health and safety with respect to the materials covered by the proposed amendment.

The staff has concluded that the State of Illinois meets the requirements of Section 274 of the Act. The State's statutes, regulations, personnel, licensing, inspection and administrative procedures are compatible with those of the Commission and adequate to protect the public health and safety with respect to the materials covered by the proposed agreement. Since the State is not seeking authority over uranium milling activities, subsection o. is not applicable to the proposed Illinois agreement.

Dated at Bethesda, Maryland, this 24th day of December 1986.

For the U.S. Nuclear Regulatory Commission.

G. Wayne Kerr,

Director, Office of State Programs.

Appendix A—Proposed Agreement Between the United States Nuclear Regulatory Commission and the State of Illinois for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State Pursuant To Section 274 of the Atomic Energy Act of 1954, as Amended

WHEREAS, the United States Nuclear Regulatory Commission (hereinafter referred to as the Commission) is authorized under Section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act), to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7 and 8, and Section 161 of the Act with respect to byproduct materials as defined in Sections 11e.(1) and (2) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass; and,

WHEREAS, the Governor of the State of Illinois is authorized under Illinois Revised Statutes, 1985, ch. 111 ½, par. 216b and ch. 111 ½, par. 241–19 to enter into this Agreement with the Commission; and,

WHEREAS, the Governor of the State of Illinois certified on ______ that the State of Illinois (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and,

WHEREAS, the Commission found on ______ that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and,

WHEREAS, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and,

WHEREAS, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemptions from licensing of those materials subject to this Agreement; and,

WHEREAS, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

NOW, THEREFORE, IT IS HEREBY AGREED between the Commission and the Governor of the State, acting in behalf of the State as follows:

Article I

Subject to the exceptions provided in Articles II, IV and V, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7 and 8, and Section 161 of the Act with respect to the following:

A. Byproduct material as defined in section 11e.(1) of the Act;

B. Source materials;

C. Special nuclear materials in quantities not sufficient to form a critical mass; and,

D. The land disposal of source, byproduct and special nuclear material received from other persons.

Article II

This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with rspect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission; and,

E. The extraction or concentration of source material from source material ore and the management and disposal of the resulting byproduct material.

Article III

This Agreement may be amended, upon application by the State and approval by the Commission, to include the additional area specified in Article II, paragraph E, whereby the State can exert regulatory control over the materials stated therein.

Article IV

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article V

This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article VI

The Commission will use its best efforts to cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria and to obtain the comments and assistance of the other party thereon.

Article VII

The Commission and the State agree that it is desirable to provide reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any Agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations and procedures by which such reciprocity will be accorded.

Article VIII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend all or part of this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that (1) such termination or suspension is required to protect the public health and safety, or (2) the State has not complied with one or more of the requirements of Section 274 of the Act. The Commission may also, pursuant to Section 274j of the Act, temporarily suspend all or part of this Agreement if, in the judgment of the Commission, an emergency situation exists requiring immediate action to protect public health and safety and the State has failed to take necessary steps. The Commission shall periodically review this Agreement and actions taken by the State under this Agreement to ensure compliance with Section 274 of the Act.

Article IX

This Agreement shall become effective on ____________, and shall remain in effect unless and until such time as it is terminated pursuant to Article VIII.

Done at ____________, in triplicate, this ______ day of ______.

For the United States Nuclear Regulatory Commission.

Chairman

For the State of Illinois.

Governor

[FR Doc 86–29382 Filed 12–30–86; 8:45 am]

BILLING CODE 7590–01–T

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) Collecion title: Protection Employee Benefits

(2) Form(s) submitted: UI–131, UI–132, UI–133

(3) Type of request: Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.

(4) Frequency of use: On occasion

(5) Respondents: Individuals or households

(6) Annual responses: 8,525

(7) Annual reporting hours: 2,159

(8) Collection description: Title VII, Article 4 of the Regional Rail Reorganization Act provides subsistence allowance, new carrier training assistance and reimbursement for moving expenses for ConRail employees deprived of employment. The applications obtain the information needed to pay these benefits.

Additional Information or Comments: Copies of the proposed forms and supporting documents can be obtained from Pauline Lohens, the agency clearance officer (312–751–4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Judy Egan (202–395–6880), Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Pauline Lohens,

Director of Information and Data Management.

[FR Doc. 87–1756 Filed 1–27–87; 8:45 am]

BILLING CODE 7905–01–M

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) Collection title: Protected Employee Election

(2) Form(s) submitted: UI–130

(3) Type of request: Extension of the expiration date of currently approved collection without any change in the substance or in the method of collection

(4) Frequency of use: On occasion

(5) Respondents: Individuals or households

(6) Annual responses: 400

(7) Annual reporting hours: 100

(8) Collection description: Title VII of the Regional Rail Reorganization Act provides protection for ConRail employees deprived of employment. The application obtains information needed to determine if the applicant qualifies for Title VII benefits and which benefits the applicant elects to receive.

Additional Information or Comments: Copies of the proposed forms and supporting documents may be obtained from Pauline Lohens, the agency clearance officer (312–751–4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Judy Egan (202–395–6880), Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Pauline Lohens,

Director of Information and Data Management.

[FR Doc. 87–1757 Filed 1–27–87; 8:45 am]

BILLING CODE 7905–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–24005; File No. SR–NSCC–86–17]

Self-Regulatory Organizations, Notice of Filing and Immediate Effectiveness of Proposed Rule Change by National Securities Clearing Corp. Relating to an Amendment to National Securities Clearing Corporation's ("NSCC") Rules and Procedures

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on December 30, 1986, NSCC filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by

NSCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Amend National Securities Clearing Corporation's ("NSCC") SCC Division Rules and Procedures by adding the following Statement of Policy:

Addendum J—Statement of Policy

NSCC's SCC Division Rule 7, Section 5 permits the Corporation to accept, from self-regulatory organizations (either directly or through a subsidiary or affiliated organizations) and/or service bureaus, initial or supplemental trade data on behalf of Settling Members for input into the Corporation's Comparison Operation or compared trade data, which may reflect the netted results of other transactions, on behalf of Settling Members for input into the Corporation's Accounting Operation provided that a Settling Member is a party of the trade or transaction.

Pursuant to the provisions of this Rule, the Corporation presently accepts from New York Stock Exchange, American Stock Exchange, and National Association of Securities Dealers, locked-in trade data on a Member's behalf for input into NSCC's comparison system. The Corporation has received requests from Members to accept, in addition to locked-in trade data, two sided trade data from service bureaus. Two sided trade data would encompass the complete details of both sides of a trade.

The New York Stock Exchange, the American Stock Exchange and the National Association of Securities Dealers are self-regulatory organziations ("SROs") which are regulated by the Securities and Exchange Commission. Consequently, they operate pursuant to recognized standards and therefore, the integrity of their operations is subject to periodic examination and review. Service bureaus, which are not SROs, are not subject to regulatory control.

Accordingly, in order to assure that the integrity of the Corporation's systems would not be jeopardized by the acceptance of two sided trade data from service bureaus that are not SRO's, the Corporation has determined to adopt the following criteria which such a service bureau must meet in order to be approved to submit two sided trade data pursuant to Rule 7, Section 5:

(1) Service bureau would have to: (a) Be or become a Settling Member of the Corporation; or (b) be affiliated with a Settling Member of the Corporation. The Settling Member would have to make a Clearing Fund deposit with the Corporation and have adequate capitalization to insure its continuing ability to honor its commitments to the Corporation.

(2) Service bureau would have to have an established business history of at least two years.

(3) Service bureau would have to be able to submit the following data for each trade:

(a) Buy or sell;
(b) Parties to trade;
(c) Quantity;
(d) CUSIP number;
(e) Executing price;
(f) Net money;
(g) Trade date;

and any additional data the Corporation may be called upon to provide to a regulatory body in connection with the Corporation's regulatory responsibilities (e.g., additional data required by a SRO for audit trial purposes).

(4) Service bureau would be required to have at least ten (10) of the Corporation's Members as its subscribers.

(5) Service bureau would be required to furnish to the Corporation such information and make available such books and records as the Corporation, in its sole discretion, deems necessary to evaluate service bureau's financial responsibility and operational capability.

In addition to the foregoing, service bureau would be required to enter into an Agreement, in writing, with the Corporation whereby service bureau would agree:

(1) To maintain the following insurance coverage in an appropriate amount, depending upon the size of the service bureau's operation: (a) Broker Blanket Bond or equivalent; (b) Errors and Omissions; and, (c) General Liability.

(2) To submit detailed plans respecting its automated execution system which at a minimum would detail: a description of the system; the physical safeguards of the system; and, the integrity, backup, recovery ability, and contingency plans of the service bureau in the event of an emergency or disaster.

(3) (a) To obtain, on a yearly basis, an independent audit of its financial statements and an opinion prepared by its independent auditors as to service bureau's internal controls for its automated system and to submit such audit and opinion annually to the Corporation; and (b) to perform internal interim six month reviews of the internal controls of the automated execution system, and to submit the results of this internal review to the service bureau's independent auditors.

(4) To have the Settling Member submit monthly financial statements to the Corporation.

(5) To notify the Corporation upon any material change in any of the criteria required for acceptance as an approved service bureau or of the management or operation of the service bureau (e.g. cancellation of insurance, changes in the automated execution system, major change in stock ownership or management, outstanding law suits).

(6) To indemnify and hold harmless the Corporation, its Clearing Fund, Shareholders, Directors, Officers, Employees, and Agents from and against any and all claims, losses, costs, damages, or liabilities, including reasonable attorney's fees, which may be asserted against, suffered, or incurred by the Corporation arising from entering into such Agreement and/or providing or failing to provide trade data to the Corporation, except that the foregoing indemnification shall not be required to cover any claims, losses, costs, damages, or liabilities which may be asserted against, suffered, or incurred by the Corporation arising from the Corporation's willful misconduct or gross negligence.

(7) That in the event of a disagreement between subscribers of the service bureau and/or non-subscribers concerning the trade data submitted or failed to be submitted by the service bureau to the Corporation, the Settling Member of the Corporation will interpose itself in the trade and take responsibility for the trade.

(8) To pay to the Corporation the costs, if any, of the Corporation's changing any of its systems to be able to receive trade data from service bureau.

(9) To submit to the Corporation, for each subscriber of the service bureau which is a Member of the Corporation on whose behalf the service bureau may submit trade data, evidence of the service bureau's authority to submit to the Corporation trade data on behalf of such subscriber.

The Corporation may waive one or more of the foregoing criteria if the Corporation determines that it is in the best interests of the Corporation and its Members to approve a service bureau so as to assure the prompt, accurate, and orderly processing and settlement of securities transactions or to otherwise carry out the functions of the Corporation.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

NSCC's SCC Division Rule 7, Section 5 permits NSCC to accept from self-regulatory organizations and/or service bureaus, initial and supplemental trade data on behalf of Settling Members for input into NSCC's Comparison Operation, or compared trade data on behalf of Settling Members for input into NSCC's Accounting Operation, provided the Settling Member is a party to the trade or transaction. Pursuant to this Rule, NSCC accepts from the New York Stock Exchange, American Stock Exchange, and National Association of Securities Dealers locked-in trade data for input into NSCC's Comparison Operation.

NSCC recognizes that the New York Stock Exchange, American Stock Exchange, and National Association of Securities Dealers, as SROs, are regulated by the Securities and Exchange Commission ("SEC") and the integrity of their operation is, therefore, subject to SEC scrutiny. Service bureaus which are not SRO's are not necessarily subject to the same regulatory scrutiny. In order to preserve the integrity of its system, NSCC recognizes the necessity to adopt criteria which service bureaus must meet in order to be accepted to submit trade data on behalf of a Member. The purpose of the proposed rule change is to establish, in the form of a Statement of Policy, the criteria a service bureau must initially meet and agree to comply with in order for NSCC to accept trade data submitted by the service bureau on behalf of a Member.

Because the proposed rule change will promote the prompt and accurate clearance and settlement of securities transactions while assuring the safeguarding of securities and funds which are in the custody or control of NSCC or for which it is responsible, it is consistent with the requirements of the Act and the rules and regulations thereunder.

B. Self-Regulatory Organization's Statement on Burden on Competition

NSCC does not perceive that the proposed rule will have an impact or impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No comments on the proposed rule change have been solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period: (i) As the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by February 18, 1987.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: January 16, 1987.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-1752 Filed 1-27-87; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-24004; File No. SR-NYSE-86-33]

Self-Regulatory Organizations; Proposed Rule Change by New York Stock Exchange, Inc., Relating to Rate Increases Affecting Listing Fees

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on December 9, 1986, the New York Stock Exchange ("Exchange" or "NYSE"), Inc. filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is proposing to institute rate increases affecting initial and continuing listing fees for companies listing on the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The test of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Changes

(1) The purpose of this change is to offset in part the increased costs of supplying services provided by the Exchange. These costs include manpower, systems, and utilities associated with providing market place services.

(2) The basis under the Act for the proposed rule change is section 6(b)(4)

permitting the rules of an exchange to provide for the equitable allocation of reasonable dues, fees,[1] and other charges among its members, issuers and other persons using its facilities.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule changes will not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not formally solicited written comments regarding proposed change, and no unsolicited written comments have been received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period: (i) As the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposal rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to the file number in the caption above and should be submitted by February 18, 1987.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: January 16, 1987.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-1753 Filed 1-27-87; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 04/04-0113]

Financial Opportunities, Inc.; Filing of Application for Transfer of Ownership and Control

Notice is hereby given that an application has been filed with the Small Business Administration pursuant to § 107.601 of the Regulations governing small business investment companies (13 CFR 107.601 (1986)) for Transfer of Ownership and Control of Financial Opportunities, Inc. (Licensee), 833 Starks Building, Louisville, Kentucky 40202, a Federal Licensee under the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C. 661 et. seq.)

Pursuant to a Plan and Agreement of Merger dated May 16, 1986 and amended August 4, 1986, Dairy Mart Convenience Stores, Inc., (Dairy Mart), 240 South Road, Enfield, CT 06082, a Delaware corporation, has acquired all of the outstanding shares of the capital stock of CONNA corporation (CONNA). The Licensee is a wholly-owned subsidiary of CONNA. CONNA is the surviving corporation resulting from the merger of CONNA and The Claudia Lawrence Corporation (CLC), a Kentucky corporation and a wholly-owned subsidiary of Dairy Mart.

The officers, directors and shareholders of the Licensee are and will continue to be as follows:

Name	Title or relationship	Percentage of shares owned
Jefferson Mgt. Corp, (JMC), 833 Starks Bldg., Louisville, KY 40202.	Investment adviser	
Douglas A. Vetter, 5409 Apache Road, Louisville, KY 40207.	President and director	
Robert T. Johnson, 7518 West Dale Road, Louisville, KY 40222.	Executive vice president and director	
John Elsner, 4313 Woodgate Lane, Louisville, KY 40220.	Secretary and treasurer	
Gary F. Duerr, 8516 Blossom Lane, Louisville, KY 40222.	General manager (of JMC) assistant Secretary	
Joe P. Peden, 3223 Five Oaks Place, Louisville, KY 40206.	Director	
Charles Nirenberg, 24 Deep Brook Harbour, Suffield, CT 06078.	Indirect shareholder	([1])
Janet Nirenberg, 24 Deep Brook Harbour, Suffield, 06078.	Indirect shareholder	([1])
CONNA Corporation, 981 South Third Street, Louisville, KY 40232..		100

[1] Joint owner of 17% of Dairy Mart.

The Licensee will retain its corporate name and location.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the new company under their management including profitability and financial soundness in accordance with the Small Business Investment Act and the SBA Rules and Regulations.

Notice is further given that any person may, not later than 30 days from the date of publication of this Notice, submit written comments on the proposed SBIC to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, NW., Washington, DC 20416.

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[1] In its filing, the NYSE included a schedule of the proposed rate increases for initial and continued listing fees. A copy of this schedule is available from the Commission, at the address noted in Section IV below, and form the NYSE.

A copy of the Notice shall be published in a newspaper of general circulation in Louisville, Kentucky.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: January 20, 1987.

Robert G. Lineberry,

Deputy Associate Administrator for Investment.

[FR Doc. 87-1750 Filed 1-27-87; 8:45 am]

BILLING CODE 8025-01-M

[License No. 06/06-0291]

Hinsley Venture Capital, Inc.; Surrender of License

Notice is hereby given that Hinsley Venture Capital, Inc. (HVC), 9494 Southwest Freeway, Suite 100, Houston, Texas 77074 has surrendered its License to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (Act). HVC was licensed by the Small Business Administration on February 21, 1986. Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender was accepted on January 9, 1987, and accordingly, all rights, privileges, and franchises therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.001, Small Business Investment Companies)

Dated: January 16, 1987.

Robert G. Lineberry,

Deputy Associate Administrator for Investment.

[FR Doc. 87-1751 Filed 1-27-87; 8:45 am]

BILLING CODE 8025-01-M

Sunshine Act Meetings

Federal Register
Vol. 52, No. 18
Wednesday, January 28, 1987

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

FEDERAL RESERVE SYSTEM

TIME AND DATE: 11:00 a.m., Monday, February 2, 1987.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded anouncement of bank and bank holding company applications scheduled for the meeting.

James McAfee,

Associate Secretary of the Board

January 23, 1987.

[FR. Doc. 87-1786 Filed 1-23-87; 5:05 pm]

BILLING CODE 6210-01-M

federal register

Wednesday
January 28, 1987

Part II

Commodity Futures Trading Commission

17 CFR Parts 1 and 16

Domestic Exchange-Traded Commodity Options; Rule-Related Notice

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 1 and 16

Domestic Exchange-Traded Commodity Options

AGENCY: Commodity Futures Trading Commission.

ACTION: Rule-related notice.

SUMMARY: On August 27, 1982, the Commission published in the **Federal Register** notification of its list of occupation categories for option contracts (47 FR 37880). This list, as amended on January 10, 1983 (48 FR 1047), February 3, 1984 (49 FR 4200) October 15, 1984 (49 FR 40159, October 26, 1984 (49 FR 43048), December 17, 1985 (50 FR 51385) and July 22, 1986 (51 FR 26236), forms the basis from which the Commission measures commercial participation in domestic exchange-traded commodity options. Futures commission merchants and members of contract markets are required under Commission Rule 1.37(a), 17 CFR 1.37(a)(1982), to record for each option customer account they carry an appropriate occupation category from a list of such categories set forth by the Commission. Futures commission merchants and members of contract markets are required also to record a symbol indicating whether the option customer is commercial or non-commercial. In order to accommodate proposed options on random length lumber futures, the Commission has determined to revise its current list of occupation categories.

FOR FURTHER INFORMATION CONTACT: Rick Shilts, Deputy Director, or John Forkkio, Economist, Market Analysis Section Division of Economic Analysis, (202) 254-7303, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, DC 20581.

SUPPLEMENTARY INFORMATION: The Commission has revised the list of commercial categories for option contracts as follows:

Commodity	Occupation categories
Sugar, Cocoa, and Coffee "C"	1. Producer.
	2. Merchant or Dealer.
	3. Refiner/Processor of Raw Commodities.
	4. Manufacturer of Intermediate or Final Products.
	5. Other Commercial.
Metals/Precious Metals	6. Miner/Producer.
	7. Primary or Secondary Refiner.
	8. Dealer (Metal Merchant).
	9. Commercial End User.
	46. Fabricator or Alloyer.
	11. Other Commercial [1]
Petroleum	39. Crude Oil Producer.
	40. Crude Oil Reseller.
	12. Refiner.
	13. Product Marketer and/or Distributor.
	14. End User.
	15. Other Commercial.
Financial Instruments/Foreign Exchange	16. Savings and Loan, Mortgage Bank or Thrift Institution.
	17. Commercial Bank.
	18. Insurance Company.
	19. Pension and Retirement Fund.
	20. Mutual Fund.
	21. Broker/Dealer.
	22. Foundation or Endowment.
	23. Other Commercial.
	24. Importer/Exporter of Goods and Services.
	25. Investor/Issuer of Foreign Currency Denominated Securities.
Grains, Soybeans, and Soybean Products.	26. Grain or Soybean producer.
	27. Producer Cooperative.
	28. Elevator Operator or Merchant Other Than a Producer.
Cooperative	29. Processor, Including Feed Manufacturing and Soybean.
Crushing	
	30. Livestock Feeder or Producer.
	47. Soybean Oil Refiner
	31. Other Commercial.
Livestock and Frozen Pork Bellies	32. Farmer or Rancher.
	33. Commercial Feedlot Operator.
	34. Other Livestock.
Feeder	35. Marketing Agency and/or Commission Merchant.
	36. Packer or Other Meat Processor.
	37. Meat Wholesaler, Retailer, or Buyer.
	38. Other Commercial.
Cotton and Frozen Concentrated Orange Juice.	41. Producer/Grower.
	42. Producer/Grower Cooperative.
	43. Merchant/Wholesaler.
	44. Mill Operator/Processor.
	45. Other Commercial.
Forest Products	48. Producers.
	49. Remanufacturers.
	50. Wholesalers.
	51. Retailers and Builders.
	52. Other Commercial.

[1] Category 10 intentionally blank.

Under the revisions, a new commodity category, "Forest Products," and a corresponding list of occupation categories 48 through 52 will be added. These revisions will accommodate option trading in forest product related commodities including random length lumber.

As is the case with the existing categories, the appropriate classification for a customer is based on the primary activity of the customer in using the option market in conjunction with its cash market activities.

Issued in Washington, DC on January 22, 1987.

Jean A. Webb,
Secretary of the Commission.

[FR Doc. 87-1759 Filed1-27-87; 8:45 am]

BILLING CODE 6351-01-M

Reader Aids

Federal Register

Vol. 52, No. 18

Wednesday, January 28, 1987

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